

Washington, Friday, May 4, 1945

The President

EXECUTIVE ORDER 9547

PROVIDING FOR REPRESENTATION OF THE UNITED STATES IN PREPARING AND PROS-ECUTING CHARGES OF ATROCITIES AND WAR CRIMES AGAINST THE LEADERS OF THE EUROPEAN AXIS POWERS AND THEIR PRINCIPAL AGENTS AND ACCESSORIES

By virtue of the authority vested in me as President and as Commander in Chief of the Army and Navy, under the Constitution and statutes of the United States, it is ordered as follows:

1. Associate Justice Robert H. Jackson is hereby designated to act as the Representative of the United States and as its Chief of Counsel in preparing and prosecuting charges of atrocities and war crimes against such of the leaders of the European Axis powers and their principal agents and accessories as the United States may agree with any of the United Nations to bring to trial before an international military tribunal. He shall serve without additional compensation but shall receive such allowance for expenses as may be authorized by the President.

2. The Representative named herein is authorized to select and recommend to the President or to the head of any executive department, independent establishment, or other federal agency necessary personnel to assist in the performance of his duties hereunder. The head of each executive department, independent establishment, and other federal agency is hereby authorized to assist the Representative named herein in the performance of his duties hereunder and to employ such personnel and make such expenditures, within the limits of appropriations now or hereafter available for the purpose, as the Representative named herein may deem necessary to accomplish the purposes of this order, and may make available, assign, or detail for duty with the Representative named herein such members of the armed forces and other personnel as may be requested for such purposes.

3. The Representative named herein is authorized to cooperate with, and receive the assistance of, any foreign Government to the extent deemed necessary by him to accomplish the purposes of this order.

HARRY S. TRUMAN

THE WHITE HOUSE, May 2, 1945.

[F. R. Doc. 45-7256; Filed, May 3, 1945; 10:57 a. m.]

Regulations

TITLE 7-AGRICULTURE

Chapter I-War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter A-Commodity Standards and Standard Container Regulations

PART 28-COTTON STANDARDS

SUBPART-COTTON CLASSIFICATION AND MAR-KET NEWS SERVICES FOR ORGANIZED GROUPS OF PRODUCERS

Pursuant to the provisions of the act of Congress of April 13, 1937 (50 Stat. 62; 7 U.S.C. 473c), and by virtue of the authority vested in the War Food Administrator, the regulations applicable to cotton classification and market news services for organized groups of producers (7 CFR, Cum. Supp., 28.901 et seq.) are amended to read as follows:

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Published daily, except Sundays, Mondays, Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents. Government

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The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant

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REGISTER.

NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text. Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

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LIMITATION OF SERVICES

28.919 Limitation of services.

AUTHORITY: §§ 28.901 to 28.919, inclusive, issued under 50 Stat. 62; 7 U.S.C. 473c; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783.

DEFINITIONS

§ 28.901 Definitions. When used in the regulations in this subpart:

(a) "Act" means the act of Congress of March 3, 1927 (44 Stat. 1372), as amended by the act of Congress of April 13, 1937 (50 Stat. 62) (7 U.S.C. 471-476).

13, 1937 (50 Stat. 62) (7 U.S.C. 471-476). (b) "Director" means the Director of Marketing Services, War Food Adminis-

tration.

(c) "Office of Marketing Services" means the Office of Marketing Services, War Food Administration (including any other Federal agency which may hereafter be authorized to perform the present duties and functions of such Office of Marketing Services with respect to the act).

ADMINISTRATION

§ 28.902 Administration. The Director is charged with the administration of the provisions of the act and the regulations in this subpart.

CLASSIFICATION AND MARKET NEWS SERVICES

§ 28.903 Classification of samples. The Director, or his authorized representatives, upon request in writing from any group of producers organized to promote the improvement of cotton who comply with the regulations in this subpart shall, as hereinafter provided, furnish to such producers without charge the classification in accordance with the official cotton standards of the United States of samples representing the cotton produced by them. It appearing that funds appropriated for the administration of the act may at times be insufficient to provide for the classification of all of the cotton grown by members of such groups, the Director may, when necessary, direct that only samples representing that portion of members' cotton produced from seed of an adopted variety, or from seed replanted on land first planted during any growing season to seed of such adopted variety, shall be eligible for classification under the regulations in this part; and, in any event, such classification may be limited to samples representing cotton produced by members whose cotton acreage for any growing season is first planted in whole or in part to seed of an adopted variety.

§ 28.904 Market news. The Director shall cause to be distributed to groups of producers organized to promote the improvement of cotton who comply with the regulations in this subpart, and to others on request, for posting at gins, in post offices, or other public or conspicuous places in cotton growing communities, timely information on prices for various grades and staple lengths of cotton.

ORGANIZED GROUPS

§ 28.905 Organized groups. Groups of producers organized to promote the improvement of cotton may be recognized as such within the meaning of the act if they meet the following requirements:

(a) Such an organization may be an unincorporated association or it may be

incorporated.

(b) The cotton fields of members of an organized group shall be located within the area generally recognized by the group as its community and any fields of members in which planting seed of the adopted variety and strain is produced shall be so located as to prevent or minimize cross pollination with other varieties or strains. The seed planted pursuant to the crop improvement program of any group shall be of such variety and seed stock of proven merit as shall have been agreed upon by the group, and the cotton produced shall be ginned in such a manner as to prevent the mixing of the seed or lint of an adopted variety with the seed or lint of other varieties or strains. Provision shall be made by the group for the procurement, production, and economical distribution of approved planting seed of the adopted variety and strain for use by members of the group.

(c) Each organized group shall assume responsibility for obtaining, identifying, and shipping samples to be classified and for posting market information furnished to it in accordance with the regulations in this subpart; shall see that samples are drawn, handled, and shipped in accordance with instructions furnished from time to time by representatives of the Director; and shall designate a responsible representative and an alternative representative to act for members of the group in matters pertaining to compliance with the regula-tions in this subpart. Such representative or alternate representative need not be a producer or a member of the group.

SAMPLING AND CLASSIFICATION

\$28.906 Submission of samples. A sample of approximately 6 ounces in weight representative of both sides of each square bale of eligible cotton will be submitted for classification. For each round bale, a representative sample approximately 3 ounces in weight will be required. Samples shall be drawn and submitted in accordance with instructions issued from time to time by the Director or his representatives.

§ 28.907 Identification. Each lot of samples submitted for classification shall be enclosed in packages or bags which shall be labeled or marked so as to show the name and address of the representative or sampling agency of the organized group. Each sample shall contain a tag bearing the number of the bale from which it was drawn and the name and the address of the producer of such bale.

§ 28.908 Costs. Costs incident to sampling, tagging, and identification of samples and transporting samples to points of shipment shall be without expense to the Government, but tags and containers for the shipment of samples may be furnished and shipping charges paid by the Office of Marketing Services. The samples shall become the property of the Government.

§ 28.909 Classification. The samples submitted as herein provided shall be classified by employees of the Office of Marketing Services and a statement showing the grade and staple length of each sample according to the official cotton standards of the United States will be mailed to the producer whose name appears on the tag accompanying the sample, or his representative.

§ 28.910 Representative. The representative, or alternate representative, or approved sampling agency of the group may be designated by the group to receive classification data for its members.

APPLICATIONS

§ 23.911 Application forms. Applications shall be made on forms furnished or approved by the Office of Marketing Services.

§ 28.912 Contents of application. Each such application shall include (a) the date; (b) the name and location of the organized group; (c) the name and address of each member of the group and the name of the variety adopted by the group; (d) a statement that the designated variety adopted by the group has been agreed upon by a majority of the members; (e) a statement that the group is organized for the purpose of promoting the improvement of cotton; (f) copies of the organization papers of the group, such as articles of association and bylaws, and copies of ginners' agreements and other documents relating to cotton improvement by members of the group; (g) the names, titles, and post office addresses of the representative and alternate representative designated to act for the group; (h) a statement as to the estimated total number of acres of the adopted variety and the estimated total acreage of other varieties to be grown during the year; (i) a statement with regard to the arrangements that have been made for posting market information; (j) a statement with regard to the arrangements for procuring and distributing planting seed; (k) other information that may be required by the Directors; (1) a statement that the group agrees to comply with the act and the regulations in this subpart; and (m) the signature of an authorized official or leader of the group. It shall be further required that each application be accompanied by a recommendation for approval or disapproval from (n) the cooperating state extension service or other state agency cooperating with the Bureau of Plant Industry, Soils and Agricultural Engineering of the United States Department of Agriculture, or (o) from a committee designated for the purpose. In making each such recommendation, consideration should be given, among other things, to the status of the organization of the group; the extent of isolation of the group members' fields on which seed stocks are produced: the adaptability of the variety and the quality of the seed stocks; the completeness of the arrangements for the ginning of the cotton so as to promote cotton improvement, and the adequacy of the arrangements for the procurement and distribution of planting seed. In arriving at a decision with respect to the final approval or disapproval of any application, approving officers of the Office of Marketing Services shall give due consideration to the recommendation of the Extension Service, other state agency or designated committee.

§ 28.913 Time limitation. Application shall be filed with an authorized rep-

resentative of the Office of Marketing Services or mailed to such representative within a period of time to be announced by the Office of Marketing Services for the receipt of applications for services during the year to which such application relates. To receive consideration, any such application submitted by mail shall have been postmarked before midnight of the last day of such announced period.

§ 28.914 Rejection. Applications may be rejected for noncompliance with the act or the regulations, in this subpart, or when funds or facilities are not available to provide the services requested.

§ 28.915 Authority. Proof of authority of any person to make application on behalf of an organized group may be required.

§ 28.916 Withdrawal. An organized group may withdraw its application at any time.

§ 28.917 Renewal. Applications shall be subject to renewal from year to year in accordance with a procedure to be prescribed by the Director or his authorized representatives.

§ 28.918 Expenses. Any expense involved in the preparation and filing of applications and requests for renewal shall be paid by the applicants.

LIMITATION OF SERVICES

§ 28.919 Limitation of services. The Director, or his authorized representatives, may suspend, terminate, or withhold cotton classing and market news services to any organized group upon its request, or upon its failure to comply with the act or these regulations, or when funds or facilities are insufficient to provide or continue such services.

Issued at Washington, D. C., this 2d day of May 1945.

ASHLEY SELLERS, Assistant War Food Administrator.

[F. R. Doc. 45-7224; Filed, May 2, 1945; 3:29 p. m.]

Subchapter D-Warehouse Regulations

PART 106-DRY BEAN WAREHOUSES

REVISION OF REGULATION

Pursuant to the provisions of the United States Warehouse Act approved August 11, 1916, as amended (39 Stat. 486-491, 41 Stat. 266, 42 Stat. 1282, 46 Stat. 1463; 7 U.S.C. 241-273), and by virtue of the authority vested in the War Food Administrator by Executive orders of the President, the following revision of the regulations for dry bean warehouses, as amended, and as they now appear in Title 7, Chapter I, Subchapter D, Part 106, of the Code of Federal Regulations, and the Cumulative Supplement thereto, is hereby promulgated.

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AUTHORITY: §§ 106.1 to 106.83, inclusive, issued under 39 Stat. 496, 7 U. S. C., 1940 ed., 268; E. O. 9322, 8 F. R. 3807; E. O. 9334, 8 F. R. 5423; E. O. 9392, 8 F. R. 14783.

DEFINITIONS

§ 106.1 Meaning of words. Words used in the regulations in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 106.2 Terms defined. When used in the regulations in this part, unless otherwise distinctly expressed or mani-festly incompatible with the intent thereof:

(a) "Beans" means only dry edible beans used for human consumption.

(b) "The act" means the United States Warehouse Act approved August 11, 1916 (39 Stat. 486), as amended; 7 U.S.C. 241-273.

(c) "Persons" means an individual, corporation, partnership, or two or more persons having a joint or common interest

(d) "Department" means the United States Department of Agriculture or the War Food Administration.

(e) "Secretary" means the Secretary of Agriculture or the War Food Administration, or any officer or employee of the Department to whom the Secretary or the War Food Administrator has heretofore lawfully delegated or may hereafter lawfully delegate the authority to act in his stead.

(f) "Director" means the Director of the Office of Marketing Services, War Food Administration, or any officer or employee of the Department to whom the Director has heretofore lawfully delegated or may hereafter lawfully delegate the authority to act in his stead.

(g) "Designated representative" means the Director of the Office of Marketing Services, or any officer or employee of the Department to whom the Director has heretofore lawfully delegated or may hereafter lawfully delegate the authority to act in his stead.

(h) "Office" means the Office of Marketing Services.

(i) "Regulations" means rules and regulations made under the act by the

Secretary.

(j) "Warehouse" means, unless otherwise clearly indicated by the context, any building, structure, or other protected inclosure in which beans are or may be stored for interstate or foreign commerce, or, if located within any place under the exclusive jurisdiction of the United States, in which beans are or may be stored and for which a license has been issued under the act.

(k) "Warehouseman" means, unless otherwise clearly indicated by the context, any person lawfully engaged in the business of storing beans and holding a

warehouse license.

(1) "License" means a license issued under the act by the Secretary.

(m) "Licensed warehouseman's bond" means a bond required to be given under the act by a licensed warehouseman

(n) "Licensed inspector" means a person licensed under the act by the Secretary to sample, to inspect, and to grade and to certificate the condition for storage and the grade of beans.

(o) "Licensed weigher" means a person licensed under the act by the Secretary to weigh and to certificate the weight of beans stored or to be stored

under the act.

(p) "Receipt" means a warehouse receipt as prescribed by the act and regulations.

(q) "Dockage". See "Pick". (r) "Pick" includes any material other than beans, together with undeveloped, shriveled, discolored, damaged, split, and small pieces of beans which are picked by hand or eliminated by mechanical means from the lot. The pick shall be calculated in terms of percentage based on the total weight of the beans including the material to be eliminated.

WAREHOUSE LICENSES

§ 106.3 Application forms. Applications for licenses under sections 4 and 9 of the act and for amendments thereto shall be made to the Secretary upon forms prescribed for the purpose and furnished by the office, shall be in English, shall truly state the information therein contained, and shall be signed by the applicant. The applicant shall at any time furnish such additional information as the Secretary or his designated representative shall find to be necessary to the consideration of his application.

§ 106.4 Grounds for not issuing license. A license for the conduct of a warehouse shall not be issued if it be found by the Secretary, or his designated representative, that the warehouse is not suitable for the proper storage of beans, that the warehouseman is incompetent to conduct such warehouse in accordance with the act and these regulations, or that there is any other sufficient reason within the intent of the act for not issuing such license.

§ 106.5 Net assets required. Any warehouseman conducting a warehouse licensed or for which application for license has been made under the act shall have and maintain above all ex-

emptions and liabilities net assets liable for the payment of any indebtedness arising from the conduct of the warehouse, to the extent of at least 20 cents per hundredweight of the maximum number of hundredweight that the warehouse will accommodate when stored in the manner customary to the warehouse as determined by the Director, except that the amount of such assets shall not be less than \$5,000, and need not be more than \$100,000. If such warehouseman has applied for licenses to conduct two or more warehouses in the same State. the assets applicable to all of which shall be subject to the liabilities of each, such warehouses shall be deemed to be one warehouse for the purposes of the assets required under this section. For the purposes of this section only, paid-in capital stock, as such, shall not be considered a liability. Any deficiency in the required net assets may be supplied by an increase in the amount of the warehouseman's bond in accordance with paragraph (b) of § 106.12.

§ 106.6 License shall be posted. Immediately upon receipt of his license or of any amendment thereto under the act, the warehouseman shall post the same and thereafter, except as otherwise provided in the regulations in this part, keep it posted until suspended or terminated, in a conspicuous place in the principal office where receipts issued by such warehouseman are delivered to deposi-

§ 106.7 Suspension or revocation of warehouse licenses. Pending investigation, the Secretary, or his designated representative, whenever he deems it necessary, may suspend a warehouseman's license temporarily without hearing. Upon written request and a satisfactory statement of reasons therefor submitted by a warehouseman, the Secretary, or his designated representative, may, without hearing suspend or revoke the license issued to such warehouseman. The Secretary, or his designated representative, may, after opportunity for hearing has been afforded in the manner prescribed in this section, cancel a license issued to a warehouseman when such warehouseman is (a) bankrupt or insolvent, (b) has parted in whole or in part with his control over the licensed warehouse, (c) is in process of dissolution or has been dissolved, (d) has ceased to conduct such licensed warehouse, or (e) has in any other manner become nonexistent or incompetent or incapacitated to conduct the business of the warehouse. Whenever any of the conditions mentioned in paragraphs (a) to (e) of this section shall come into existence it shall be the duty of the warehouseman to notify the Director immediately of the existing condition. Before a license is revoked for any violation of, or failure to comply with, any provisions of this act or of the regulations in this part, or upon the ground that unreasonable or exorbitant charges have been made for services rendered, a notice in writing specifying the charges shall be served by the Secretary or by his designated representative upon the warehouseman involved. Within twenty days after receipt of the statement of

charges the warehouseman may file with the Secretary or his designated representative an answer in writing which may include affidavits or other instruments evidentiary in nature and a request for an oral hearing, opportunity for which shall be afforded in accordance with § 106.80. Failure by the warehouseman to request an oral hearing within the time allowed for the filing of the answer shall constitute a waiver of such hearing, and any warehouseman so failing to request a hearing will be deemed to have agreed that the Secretary or his designated representative may, upon the basis of the information before him. take such action as he deems warranted. including the holding of an oral hearing or the final disposition without such hearing of the matter by issuance of such final order as he may deem appropriate.

§ 106.8 Return of suspended or revoked warehouse licenses. When a license issued to a warehouseman terminates, or is suspended, or revoked by the Secretary or his designated representative, it shall be returned to the Secretary. At the expiration of any period of suspension of such license, unless it be in the meantime revoked, the dates of the beginning and termination of the suspension shall be indorsed thereon, it shall be returned to the licensed warehouseman to whom it was originally issued, and it shall be posted as prescribed in § 106.6.

§ 106.9 Lost or destroyed warehouse licenses. Upon satisfactory proof of the loss or destruction of a license issued to a warehouseman, a duplicate thereof or a new license may be issued under the same number.

§ 106.10 Unlicensed warehousemen must not represent themselves as licensed. No warehouse or its warehouseman shall be designated as licensed under the act and no name or description conveying the impression that it or he is so licensed shall be used, either in a receipt or otherwise, unless such warehouseman holds an unsuspended and unrevoked license for the conduct of such warehouse.

WAREHOUSE BONDS

§ 106.11 Time of filing. Unless the warehouseman has previously filed with the Secretary the necessary bond required by § 106.12, he shall file such bond within a time, if any, specified by the Secretary, or his designated representative, said bond to cover all obligations arising thereunder during the period of the license.

§ 106.12 Basis of amount of bond; additional amounts. (a) Exclusive of any amount which may be added in accordance with paragraphs (b) and (c) of this section, the amount of such bond shall be at the rate of 20 cents per hundredweight or fractional part thereof, of the maximum number of hundredweight that the warehouse will accommodate when stored in the manner customary to the warehouse for which such bond is required, as determined by the Director, but not less than \$5,000 nor more than \$50,000. If such warehouseman has applied for licenses to conduct two or more

warehouses in the same State, the assets applicable to all of which shall be subject to the liabilities of each, and shall desire to give a single bond meeting the requirements of the act and the regulations in this part for said warehouses, such warehouses shall be deemed to be one warehouse for the purposes of the bond required under this section.

(b) In case of a deficiency in net assets under § 106.5 there shall be added to the amount of the bond, fixed in accordance with paragraph (a) of this section, an amount equal to such deficiency.

(c) If the Secretary, or his designated representative, finds the existence of conditions warranting such action, there shall be added to the amount fixed in accordance with paragraphs (a) and (b) of this section a further amount, fixed by him, to meet such conditions.

§ 106.13 Amendment to license. application is made under § 106.3 for an amendment to a license and no bond previously filed by the warehouseman under the regulations in this part covers obligations arising during the period of such amendment, the warehouseman shall, when notice has been given by the Secretary, or his designated representative, that his application for such amendment will be granted upon compliance by such warehouseman with the act, file with the Secretary, within a time, if any, fixed in such notice, a bond complying with the act, unless bond in sufficient amount has been filed since the filing of such application. In the discretion of the Secretary, a properly executed instrument in form approved by him, amending, extending or continuing in force and effect the obligations of a valid bond previously filed by the warehouseman and otherwise complying with the act and these regulations may be filed in lieu of a new bond,

§ 106.14 New bond required each year. A continuous form of license shall not remain in force for more than one year from its effective date, or any subsequent extension thereof, unless each year not more than 30 days before the date on which the license would expire, the warehouseman files a bond in the required amount with the Secretary and such bond has been approved by him or his designated representative.

§ 106.15 Approval of bond. No bond, amendment or continuation thereof shall be deemed accepted for the purposes of the act and the regulations in this part until it has been approved by the Secretary, or by his designated representative.

WAREHOUSE RECEIPTS

§ 106.16 Form. (a) Every receipt, whether negotiable or nonnegotiable, issued for beans stored in a warehouse shall, in addition to complying with the requirements of section 18 of the act, embody within its written or printed terms the following: (1) the name of the licensed warehouseman and the designation, if any, of the warehouse, (2) the license number of the warehouseman is incorporated or unincorporated, and if incorporated, under what laws, (4) in the event the relationship between the warehouseman and any depositor is

not that of strictly disinterested custodianship, a statement setting forth the actual relationship, (5) the tag number given to each lot of beans in accordance with § 106.33, (6) a statement conspicuously placed, whether or not the beans are insured, and, if insured, to what extent, by the warehouseman against loss by fire, lightning, or tornado, (7) a blank space designated for the purpose in which the condition of the beans shall be stated, (8) a blank space designated for the purpose in which the variety of the beans shall be stated, (9) the net weight, as well as the dockage or pick, if any, (10) the words "Negotiable," or "Nonnegotiable," according to the nature of the receipt, clearly and conspicuously printed or stamped thereon, and (11) a statement indicating the amount of shrinkage and/or pickage agreed upon between the depositor and the warehouseman, in the case of nonidentity preserved beans.

(b) Every receipt, whether negotiable or nonnegotiable, issued for beans stored in a warehouse shall specify a period, not exceeding one year, for which the beans are accepted for storage under the act and the regulations in this part, but, upon demand and surrender of the old receipt by the lawful holder thereof at or before the expiration of the specified period, the warehouseman, upon such lawful terms and conditions as may be granted by him at such time to other depositors of beans in the warehouse, may issue a new receipt for a further specified period not exceeding one year; Provided: (1) In the case of beans stored identity preserved it is first actually determined by a licensed inspector that the beans have not deteriorated and are in proper condition for further storage; and (2) in the case of beans stored on a fungible basis that the warehouseman determines the total quantity of beans covered by outstanding receipts calling for the same grade of beans as called for by the surrendered receipt, that the licensed inspector determines that all beans of the grade in question and stored on a fungible basis are in proper condition for further storage, and that the warehouseman determines that he has sufficient quantity of beans of the proper grade as determined by the licensed inspector to cover all outstanding receipts including the surrendered receipt.

(c) The grade stated in a receipt issued for beans the identity of which is not to be preserved shall be stated as determined by the licensed grader who last graded the beans before the issuance of such receipt; and such receipt shall embody within its written or printed terms the following: (1) that the beans covered by the receipt were inspected and graded by a licensed inspector, and (2) a form of indorsement which may be used by the depositor, or his authorized agent, for showing the ownership of, and liens, mortgages or other encumbrances on the beans covered by the receipt.

(d) Whenever the grade or other class of beans is stated in a receipt issued for beans stored in a warehouse, such grade or other class shall be stated in the receipt in accordance with §§ 106.73 to 106.75.

(e) If a warehouseman issues a receipt omitting the statement of grade on request of the depositor as permitted by section 18 of the act, such receipt shall have clearly and conspicuously stamped or written on the face thereof the words "Not graded on request of depositor."

(f) If a warehouseman issues a receipt under the act omitting any information not required to be stated for which a blank space is provided in the form of the receipt, a line shall be drawn through such space to show that such omission has been made by the warehouseman.

§ 106.17 Copies of receipts. If copies are made of receipts, all such copies, except those issued in lieu of the original in case of lost or destroyed receipts, shall have clearly and conspicuously printed or stamped thereon the words "Copy—not negotiable." If copies are not made, then skeleton copies bearing the same numbers as the corresponding original receipts shall be made, but such skeleton copies need not be marked "Copy—not negotiable."

§ 106.18 Lost or destroyed receipts; bond. (a) In the case of a lost or destroyed receipt, a new receipt upon the same terms, subject to the same conditions, and bearing on its face the number and the date of the receipt in lieu of which it is issued and a plain and conspicuous statement that it is a duplicate issued in lieu of a lost or destroyed receipt, may be issued upon compliance with the conditions set out in paragraph (b) of this section.

(b) Before issuing such new or duplicate receipt, the warehouseman shall require the depositor or other person applying therefor to make and file with the warehouseman (1) an affidavit showing that he is lawfully entitled to the possession of the original receipt, that he has not negotiated or assigned it, how the original receipt was lost or destroyed. and if lost, that diligent effort has been made to find the receipt without success and (2) a bond in an amount double the value, at the time the bond is given. of the beans represented by the lost or destroyed receipt. Such bond shall be in the form approved for the purpose by the Secretary, or his designated repre-sentative, shall be conditioned to indemnify the warehouseman against any loss sustained by reason of the issuance of such duplicate receipt, and shall have as surety thereon preferably a surety company which is authorized to do business, and is subject to service of process in a suit on the bond in the State in which the warehouse is located, or at least two individuals who are residents of such State and each of whom owns real property therein having a value, in excess of all exemptions and encumbrances, equal to the amount of the bond.

§ 106.19 Approval of form of receipt. No receipt shall be issued by a licensed warehouseman except it be (a) in form prescribed by the Director, (b) upon distinctive paper specified by him, (c) printed by a printer with whom the United States has a subsisting contract and bond for such printing, and (d) on paper manufactured by and procured

from a manufacturer with whom the United States has a subsisting contract and bond for the manufacture of such paper.

§ 106.20 Partial delivery of beans. If a warehouseman delivers a part only of a lot of beans for which he has issued a negotiable receipt under the act, he shall take up and cancel such receipt and issue a new receipt in accordance with these regulations for the undelivered portion of the beans. The new receipt shall show the date of issuance and also indicate the number and date of the old receipt.

§ 106.21 Return of receipts before delivery of beans. Except as permitted by law or by the regulations in this part, a warehouseman shall not deliver beans for which he has issued a negotiable receipt until the receipt has been returned to him and canceled, and shall not deliver beans for which he has issued a nonnegotiable receipt until such receipt has been returned to him or he has obtained from the person lawfully entitled to such delivery, or his authorized agent, a written order therefor.

§ 106.22 Nonnegotiable receipts; releases. Each person to whom a nonnegotiable receipt is issued shall furnish the warehouseman with a statement in writing indicating the person or persons having power to authorize delivery of beans covered by such receipt, together with the bona fide signature of such person or persons. No licensed warehouseman shall honor an order for the release of beans covered by a nonnegotiable receipt until he has first ascertained that the person issuing the order has authority to order such release, and that the signature of the releasing party is genuine.

§ 106.23 Omission of grade; no compulsion by warehouseman. No warehouseman shall, directly or indirectly, by any means whatsoever, compel or attempt to compel the depositor of any beans stored in his licensed warehouse to request the issuance of a receipt omitting the statement of grade.

DUTIES OF LICENSED WAREHOUSEMAN

§ 106.24 Beans must be inspected. No warehouseman shall accept beans for storage or any other purpose until they have been inspected and approved by a licensed inspector, nor store beans the identity of which is not to be preserved until their grade has been determined by a licensed inspector.

§ 106.25 Insurance; requirements. (a) Each warehouseman, when so requested in writing by the depositor of beans, or the lawful holder of the receipt for any beans, shall, to the extent to which, in the exercise of due diligence, he is able to procure such insurance, keep such beans while in his custody insured in his own name, to the extent so requested, against loss or damage by fire, lightning, or tornado. When insurance is not carried in the warehouseman's name, the receipt shall show that the beans are not insured by him. Such insurance shall be covered by lawful policies issued by one or more insurance companies authorized to do such business and subject to service of process in suits brought in the State where the warehouse is located. If the warehouseman is unable to procure such insurance to the extent requested, he shall, orally, or by telegraph or by telephone and at his own expense, immediately notify the person making the request. Nothing in this section shall be construed to prevent a warehouseman from adopting a rule that he will insure all beans.

(b) Each warehouseman shall keep exposed conspicuously in the place prescribed by § 106.6 and at such other place as the Director or his representative may from time to time designate, a notice stating briefly the conditions under which beans will be insured against loss or damage by fire, lightning, or tornado.

(c) Each warehouseman shall take promptly such steps as may be necessary and proper to collect any moneys which may become due under contracts of insurance entered into by him for the purpose of meeting the requirements of the regulations in this part, and shall, as soon as collected, pay promptly to the persons concerned any portion of such moneys which they may be entitled to receive from him.

§ 106.26 Premiums; inspections; reports. Each warehouseman shall, in accordance with his contracts with insurance and bonding companies for the purpose of meeting the insurance and bonding requirements of the regulations in this part, pay such premiums, permit such reasonable inspections and examinations, and make such reasonable reports as may be provided for in such contracts.

§ 106.27 Shrinkage of beans. When beans are received for storage, the warehouseman and the depositor shall agree upon an amount to be allowed for natural shrinkage and loss caused by rodents while the beans are in storage, and the amount so agreed upon shall be clearly stated in the warehouse receipt.

§ 106.28 Care of beans in storage. Each warehouseman shall at all times exercise such care in regard to beans in his custody as a reasonably careful owner would exercise under the same circumstances and conditions.

§106.29 Care of nonlicensed beans or other commodities. If at any time a warehouseman shall handle beans other than for storage, or shall handle or store any other commodity, he shall so protect the same and otherwise exercise such care with respect to them as not to endanger the beans in his custody as a warehouseman or impair his ability to meet his obligations and perform his duties under the act and the regulations in this part. If the warehouseman shall store commodities other than those for which he is licensed, a nonlicensed receipt shall be issued, which shall contain in its terms a provision that said commodities are accepted for storage only until such time as the space which they may occupy may be needed for products for the storage of which the warehouseman is licensed. Under no circumstances shall any commodities for the storage of which the warehouseman is not licensed be stored if the storage of such commodities might adversely affect the commercial value, or the insurance on beans covered by licensed receipts.

§ 106.30 Records to be kept in safe place. Each warehouseman shall provide a metal fireproof safe, a fireproof vault, or a fireproof compartment in which he shall keep, when not in actual use, all records, books, and papers pertaining to the warehouse, including his current receipt book, copies of receipts issued, and canceled receipts, except that with the written consent of the Director, or his representative, upon a showing by such warehouseman that it is not practicable to provide such fireproof safe, vault, or compartment, he may keep such records, books, and papers in some other place of safety approved by the Director or his representative. All canceled receipts shall be arranged by the warehouseman in numerical order as soon as possible after their cancellation and shall be preserved in numerical order there-

§ 106.31 Warehouse charges. A warehouseman shall not make any unreasonable or exorbitant charge for services rendered. Before a license to conduct a warehouse is granted under the act, the warehouseman shall file with the Office a dated copy of his rules and schedule of charges to be made by him if licensed. Before making any change in such rules or schedule of charges he shall file with the Office a statement in writing showing the proposed change and the reasons therefor. Each warehouseman shall keep exposed conspicuously in the place prescribed by § 106.6, and at such other places, accessible to the public, as the Director or his representative may from time to time designate, a copy of his current rules and schedule of charges.

§ 106.32 Business hours. (a) Each warehouse shall be kept open for the purpose of receiving beans for storage and delivering beans out of storage every business day for a period of not less than six hours between the hours of 8 a. m. and 6 p. m., except as provided in paragraph (b) of this section. The warehousem an shall keep conspicuously posted on the door of the public entrance to his office and to his warehouse a notice showing the hours during which the warehouse will be kept open, except when such office or warehouse is kept open continuously from 8 a. m. to 6 p. m.

(b) If the warehouse is not to be kept open as above required, the notice shall state the period during which it is to be closed and the name and address of an accessible person authorized to make delivery upon lawful demand and surrender of the receipt.

§ 106.33 Tagging identity-preserved beans. Each warehouseman shall, upon acceptance for storage of any lot of sacked beans or of bulk beans to be specially binned, attach to such lot or bin an identification tag of good quality, or stencil a sufficient number of sacks in the lot in such manner as will readily make possible the identification of the lot at all times. Such tags shall show the lot number, the number of the receipt issued to cover such beans, the number of sacks

in the lot, the variety or type of the beans, their grade, if determined, their net weight when they entered storage, and the date they entered storage.

§ 106.34 Arrangement and tagging of stored beans. Each warehouseman shall so store each lot of beans for which a receipt under the act has been issued that the tag or stencil identification marks thereon, required in § 106.33 of the regulations in this part, are visible and readily accessible, and shall arrange all bags in his warehouse so as to permit making a determination of the number of bags in storage at any time.

§ 106.35 Nonidentity-preserved beans; grading; weighing. All beans the identity of which is not to be preserved or has not been preserved shall be accepted for and delivered out of storage only on the basis of grades and weights determined by licensed inspectors and weighers.

§ 106.36 Delivery of beans from storage. Except as may be provided by law or the regulations in this part, each warehouseman, (a) upon proper presentation of a receipt for any beans, other than bulk beans specially binned, and upon payment or tender of all advances and legal charges, shall deliver to such depositor or lawful holder of such receipt, beans of the grade and quantity specified in such receipt, after making due allowance for such shrinkage as the receipt stipulates, or (b) upon proper presentation of a receipt for any beans the identity of which was to have been preserved during the storage period, and upon payment or tender of all advances and legal charges, shall deliver to the person lawfully entitled thereto the identical beans stored in his warehouse.

§ 106.37 System of accounts. Each warehouseman shall use for his warehouse a system of accounts, approved for the purpose by the Director, or his authorized representative, which shall show for each bag or lot of beans the name of the depositor, the weight of the beans, the number of bags in each lot, the grade when grade is required to be, or is ascertained, the location in the warehouse, the dates received for and delivered out of storage, the receipts issued and canceled, a separate record for each depositor; and such accounts shall include a detailed record of all moneys received and disbursed and of all effective insurance policies. In the case of beans the identity of which is to be preserved the tag number or stencil identification mark mentioned in § 106.33 shall be shown.

§ 106.38 Reports. Each warehouseman shall, from time to time, make such reports as the Office may require, on forms prescribed and furnished for the purpose by the Office, concerning the condition, contents, operation, and business of the warehouse.

§ 106.39 Copies of reports to be kept. Each warehouseman shall keep on file, as a part of the records of the Warehouse, for such period as may be prescribed by the Office, an exact copy of each report submitted by such warehouseman under the regulations in this part.

§ 106.40 Canceled receipts; auditing. Each warehouseman, when requested by the Office, shall forward his canceled receipts for auditing to Washington or to such field offices of the Office of Marketing Services as may be designated from time to time. For the purpose of this section, only such portion as the Office may designate of each canceled receipt, numbered to correspond with the actual receipt number, need be submitted.

§ 106.41 Inspection and examination of warehouses. Each warehouseman shall permit any officer or agent of the Department, authorized by the Secretary for the purpose, to enter and inspect or examine at any time any warehouse for the conduct of which such warehouseman holds a license, the office thereof, the books, records, papers, and accounts relating thereto, and the contents thereof, and shall furnish such officer or agent, when he so requests, the assistance necessary to enable him to make any inspection or examination under this section.

§ 106.42 Weighing apparatus; inspection. The weighing apparatus used for ascertaining the weight stated in a receipt or certificate shall be subject to examination by an officer or agent of the Department employed for such purpose. If the Office shall disapprove such weighing apparatus, it shall not thereafter, unless such disapproval be withdrawn, be used in ascertaining the weight of any beans for the purposes of the act and the regulations in this part.

§ 106.43 Warehouse to be kept clean. Each warehouseman shall keep his warehouse clean and free from trash, excessive dirt, rubbish, and scattered beans. He shall also exercise every precaution to keep his warehouse free of rats or other pests that might cause damage or injury to beans in storage. The warehouseman shall not under any circumstances accept for storage in his warehouse beans showing the presence of weevil or the larvae of weevil, nor continue to keep in storage beans so affected, without treating them in such manner as will destroy such weevil and larvae or with such chemicals as may be approved by the Office for that pur-

§ 106.44 Fumigation of warehouse. When necessary, in the opinion of the Director or his representative, the warehouseman shall fumigate thoroughly his warehouse with chemicals approved by the office.

§ 106.45 Damp, dirty, frosted beans; no storage. A warehouseman shall not, under any circumstances, accept for storage any beans with moisture content in excess of 17 per cent and which contain foreign material likely to injure the keeping qualities of the beans or adversely affect their commercial value, or that are otherwise of a condition rendering them unsuitable for storage, but he may accept such beans for conditioning purposes and for storage after conditioning.

§ 106.46 Care in storage of beans. A warehouseman shall so handle and so

store beans as not to injure or damage them in any manner.

§ 106.47 Reconditioning deteriorated beans. If the warehouseman considers that any beans in his warehouse are out of condition, or becoming so, he shall direct the licensed inspector to examine the beans in question, and, if such inspector finds such beans to be out of condition or becoming so, and he is of the opinion that such beans can be brought back into condition by mechanical or other means, or that further deterioration can be prevented, the warehouseman shall give immediate notice of the facts to the persons and in the manner specified in § 106.48, paragraphs (b) and (c). If, within 24 hours after the giving of such notice, the owners of such beans have not otherwise directed as to the disposition of same, such warehouseman, with the approval of the licensed inspector, shall subject the beans to the proper reconditioning process in his licensed warehouse to the extent to which it is equipped with machinery suitable for the purpose, otherwise in any other warehouse so equipped.

§ 106.48 Procedure in handling deteriorated beans. (a) If a warehouseman, with the approval of the licensed inspector, shall determine that any beans are deteriorating and that such deterioration can not be stopped, he shall give immediate notice thereof in accordance with paragraphs (b) and (c) of this section.

(b) Such notice shall state (1) the name of the warehouse in which the beans are stored, (2) the quantity, kind, and grade of the beans at the time the notice is given, (3) the actual condition of the beans as nearly as can be ascertained, and the reason, if known, for such condition, and (4) the outstanding receipts covering the beans out of condition, giving the number and date of each such receipt and the quantity, the kind and grade of the beans as stated in each such receipt.

(c) A copy of such notice shall be delivered in person or shall be sent by mail (1) to the persons holding the receipts if known to the warehouseman, (2) to the person who originally deposited the beans, (3) to any other persons known by the licensed warehouseman to be interested in the beans, (4) to the Director, and (5) public notice shall also be given by posting a copy of such notice at the place where the warehouseman is required to post his license. If the holders of the receipts and the owners of the beans are known to the warehouseman and cannot, in the regular course of the mails, be reached within 12 hours, the warehouseman shall, whether or not requested to do so, also immediately notify such persons by telegraph or telephone at their expense.

(d) Any person interested in any beans or the receipt covering such beans stored in a licensed warehouse may notify the warehouseman of his interest in writing, and such warehouseman shall keep a record of that fact. If such person requests in writing that he be notified regarding the condition of any such beans and agrees to pay the cost of any

telegraph or telephone toll charge, such warehouseman shall notify such person in accordance with such request.

(e) If the beans advertised in accordance with the requirements of this section have not been removed from storage by the owner thereof within seven days from the date of notice of their being out of condition, the warehouseman may sell the same at public auction at the expense and for the account of the owner, after giving seven days' notice of such proposed sale in the manner specified in paragraphs (b) and (c) of this section.

(f) Nothing contained in this section shall be construed as relieving the warehouseman from properly caring for any beans after sending notification of their condition in accordance with this section.

§ 106.49 Excess storage. If at any time a warehouseman shall be offered for storage in his warehouse beans in excess of the licensed capacity as shown on his license, he shall not accept such beans until he has first secured authority through an amended license, and after such authority has been granted, the warehouseman shall continue to so arrange the beans as not to obstruct free access thereto and the proper use of sprinklers or other fire protection equipment provided for such warehouse.

§ 106.50 Removal of beans from storage. Except as may be permitted by law or the regulations in this part, a warehouseman shall not remove any beans from the warehouse or the part thereof designated in the receipt, unless such receipt is first surrendered and canceled. Under no circumstances, unless it becomes absolutely necessary to protect the interests of holders of receipts, shall beans be removed from the warehouse before the surrender of receipts, and immediately upon any such removal the warehouseman shall notify the Director of such removal and the necessity therefor.

§ 106.51 Signatures of persons signing receipts. Each warehouseman shall file with the Department the name and genuine signature of each person authorized to sign warehouse receipts for the licensed warehouseman, and shall promptly notify the Department of any changes as to persons authorized to sign, and shall file signatures of such persons.

§ 106.52 Signs of tenancy; posting.
(a) Every warehouseman operating a "field" or "custodian" warehouse shall, during the life of his license, display and maintain appropriate signs on the licensed warehouse, both on the inside and on the exterior walls of the warehouse, and particularly on doors and usual places of entry, in such a manner as will ordinarily be calculated to give the public correct notice of his tenacy of all buildings or parts thereof included in his license.

(b) Such signs shall be of such size and design as to readily attract the attention of the public and shall include the following: (1) the name and license number of the licensee; (2) the name of the warehouse; (3) whether the warehouse

man is owner or lessee; and (4) the words "public warehouse."

(c) Such other wording or lettering may appear in the sign or signs, not inconsistent with the purpose of the act and the regulations in this part, as may be approved by the Director.

(d) Immediately upon its expiration or suspension or revocation all reference to the license shall be removed from the warehouse.

(e) No sign indicating control, tenancy, or ownership of a licensed warehouse by any person other than the licensee shall appear on any such ware-

house.

§ 106.53 Fire loss to be reported by wire. If at any time a fire shall occur at or within any licensed warehouse, it shall be the duty of the warehouseman to report immediately by telegram to the Director the occurrence of such fire and the extent of damage.

§ 106.54 Copies of certificates to be filed with warehouseman. When an inspection or weight certificate has been issued by a licensed inspector or weigher, a copy of such certificate shall be filed with the warehouseman in whose warehouse the beans covered by such certificate are stored, and such certificate shall become a part of the records of the warehouseman.

FEES

§ 106.55 Warehouse license fees. There shall be charged, assessed, and collected a fee of \$10 for each warehouseman's license or any amendment thereto, and a fee of \$3 for each license issued to an inspector or weigher.

§ 106.56 Warehouse inspection fees. There shall be charged, assessed, and collected for each original examination or inspection of a warehouse under the act, when such examination or inspection is made upon application by a warehouseman, a fee at the rate of \$1 for each 1,000 hundredweight of the storage capacity, or fraction thereof, determined in accordance with § 106.12 (a), but in no case less than \$10 nor more than \$200. and, for each reexamination or reinspection applied for by such warehouseman, a fee based on the extent of the reexamination or reinspection, proportioned to, but not greater than that prescribed for the original examination or inspection.

§ 106.57 Advance deposit. Before any warehouseman's license, or amendment thereto, is granted, or before a reexamination or reinspection applied for by a warehouseman is made, the warehouseman shall deposit with the Office the amount of the fee prescribed therefor. Such deposit shall be made in the form of a check, certified if required by the Office, or post office or express money order, payable to the order of "Treasurer of the United States."

§ 106.58 Return of excess deposit. Advance deposits made under the regulations in this part shall be forwarded to the Treasurer of the United States for holding until the fee, if any, is assessed and he is furnished by the Office with a statement showing the amount thereof

and against whom assessed. Any part of such advance deposit which is not required for the payment of any fee assessed shall be returned to the party depositing the same.

LICENSED INSPECTORS AND WEIGHERS

§ 106.59 Inspector's and weigher's application. (a) Applications for licenses to inspect and grade or to weigh beans under the act shall be made to the Director on forms furnished for the purpose by him.

(b) Each such application shall be in English, shall be signed by the applicant, shall be verified by him under oath or affirmation administered by a duly authorized officer, and shall contain or be accompanied by (1) satisfactory evidence that he has passed his twenty-first birthday, (2) the name and location of a warehouse or warehouses licensed, or for which application for license has been made, under the act, in which beans sought to be inspected and weighed under such license are or may be stored, (3) a statement from the warehouseman conducting such warehouse showing whether the applicant is competent and is acceptable to such warehousesatisman for the purpose, (4) factory evidence that he has had at least one year's experience in the kind of service for which a license is sought or the equivalent of such experience, and that he is competent to perform such services, except in the case of applicants for weigher's licenses one month's experience will be sufficient, (5) a statement by the applicant that he agrees to comply with and abide by the terms of the act and the regulations in this part so far as the same may relate to him, and (6) such other information as the Office may deem necessary; Provided, That when an application for a license to inspect beans is filed by a person who does not intend to inspect for any particular licensed warehouseman but who does intend to inspect beans stored or to be stored in a licensed warehouse and to issue inspectors' certificates therefor, as provided for by the act and the regulations in this part, independent of the warehouse receipts issued to cover such beans, it shall not be necessary to furnish such statement as is required by subparagraph (3) of this paragraph.

(c) The applicant shall at any time furnish such additional information as the Secretary, or his designated representative, shall find to be necessary to the consideration of his application.

(d) A single application may be made by any person for a license to inspect and to weigh upon complying with all the requirements of this section.

§ 106.60 Examination of applicant. Each applicant for a license as an inspector or as a weigher and each licensed inspector or licensed weigher shall, whenever requested by an authorized agent of the Department designated by the Director for the purpose, submit to an examination or test to show his ability properly to perform the duties for which he is applying for license or for which he has been licensed.

No. 89-2

§ 106.61 Posting of license. Each licensed inspector shall keep his license conspicuously posted in the office where all or most of the inspecting is done, and each licensed weigher shall keep his license conspicuously posted in the warehouse office or in such place as may be designated for the purpose by the Office.

§ 106.62 Duties of licensees. Each inspector and each weigher, when requested, shall, without discrimination, as soon as practicable, and upon reasonable terms, inspect or weigh and certificate the condition, grade, or weight for storage of beans stored or to be stored in a licensed warehouse, if such beans be offered to him under such conditions as permit proper inspection and the determination of the condition, grade, or weight thereof, as the case may be. Each such licensee shall give preference to persons who request his services as such over persons who request his services in any other capacity. No inspection or weight certificate shall be issued under the act for beans not stored or not to be stored in a licensed warehouse.

§ 106.63 Inspection certificate form. Each inspection certificate issued under the act by a licensed inspector shall be in a form approved for the purpose by the office and shall embody within its written or printed terms (a) the caption "United States Warehouse Act, Bean Inspection Certificate," (b) whether it is an original, a duplicate, or other copy, (c) the name and location of the warehouse in which the beans are or are to be stored. (d) the date of the certificate, (e) the location of the beans at the time of inspection, (f) the identification number or mark of each lot of beans the identity of which is or is to be preserved, given in accordance with § 106.33, the grade, dockage, or pick and condition of the beans for storage at the time of inspection, (h) a statement that the certificate is issued by a licensed inspector, under the United States warehouse act and regulations thereunder, (i) a blank space designated for the purpose in which may be stated any general remarks on the condition of the beans, (j) the signature of such licensed inspector. In addition, the inspection certificate may include any other matter not inconsistent with the act or the regulations in this part. Provided, The approval of the Office is first secured.

§ 106.64 Weight certificate; form. Each weight certificate issued under the act by a licensed weigher shall be in a form approved for the purpose by the Office, and shall embody within its written or printed terms (a) the caption "United States Warehouse Act, Bean Weight Certificate," (b) whether it is an original, a duplicate, or other copy, (c) the name and location of the warehouse in which the beans are to be stored, (d) the date of the certificate, (e) the location of the beans at the time of weighing, (f) the identification number or mark of each lot of beans, the identity of which is or is to be preserved, given in accordance with § 106.33, (g) the net weight of the beans, (h) a statement that the certificate is issued by a li-

censed weigher under the United States warehouse act and the regulations thereunder, and (i) the signature of such licensed weigher. In addition, the weight certificate may include any other matter not inconsistent with the act or the regulations in this part, *Provided*, The approval of the Office is first secured.

§ 106.65 Combined inspection and weight certificate. The weight, grade, and condition of any beans ascertained by a licensed inspector or a licensed weigher may be stated on a certificate meeting the combined requirements of §§ 106.63 and 106.64, if the form of such certificate shall have been approved for the purpose by the Office.

§ 106.66 Copies of certificates to be kept. Each licensed inspector and each licensed weigher shall keep for a period of one year in a place accessible to persons financially interested in the beans a copy of each certificate issued by him under the regulations in this part and shall file a copy of each such certificate with the warehouse in which the beans covered by the certificate are stored.

§ 106.67 Licensees to permit and assist in examination. Each licensed inspector and each licensed weigher shall permit any officer or agent of the Department authorized by the Secretary or his designated representative for the purpose to inspect or examine at any time, his books, papers, records, and accounts relating to the performance of his duties under the act and the regulations in this part, and shall, with the consent of the warehouseman concerned, assist any such officer or agent in the inspection or examination of records mentioned in § 106.37 as far as any such inspection or examination relates to the performance of the duties of such licensed inspector or licensed weigher under the act and the regulations in this part.

§ 106.68 Reports. Each licensed inspector and each licensed weigher shall, from time to time, when requested by the Office, make reports on forms furnished for the purpose by the Office, bearing upon his activities as such licensed inspector or licensed weigher.

§ 106.69 Licenses; suspension or revocation. Pending investigation, the Secretary, or his designated representative, may, whenever he deems necessary, suspend the license of an inspector or of a weigher temporarily without hearing. Upon a written request and a satisfactory statement of reasons therefor, submitted by the inspector or weigher, or when the inspector or weigher has ceased to perform such services at the warehouse, the Secretary, or his designated representative, may, without hearing, suspend or revoke the license issued to such in-spector or weigher. The Secretary, or his designated representative, may, after opportunity for hearing, when possible, has been afforded in the manner prescribed in this section, suspend or revoke a license issued to an inspector or a weigher when such inspector or weigher has in any manner become incompetent or incapacitated to perform the duties of a licensed inspector or licensed

weigher. As soon as it shall come to the attention of a warehouseman that any of the conditions mentioned in this section exist, it shall be his duty to notify the Office in writing. Before the license of any inspector or weigher is suspended or revoked pursuant to section 12 of the act, a notice in writing specifying the charges shall be served by the Secretary or his designated representative upon the licensee involved. Within 20 days after receipt of the statement of charges the licensee may file with the Secretary, or his designated representative, an answer in writing which may include affidavits or other instruments evidentiary in nature, and a request for an oral hearing, opportunity for which shall be afforded in accordance with § 106.80. Failure by the licensee to request an oral hearing within the time allowed for the filing of an answer shall constitute a waiver of such hearing, and any licensee so failing to request a hearing will be deemed to have agreed that the Secretary, or his designated representative, may, upon the basis of the information before him, take such action as he deems warranted, including the holding of an oral hearing or the final disposition without such hearing of the matter by issuance of such final order as he may deem appropriate.

§ 106.70 Suspended or revoked license; return; termination of license.

(a) If a license issued to an inspector or to a weigher is suspended or revoked, by the Secretary, or by his designated representative, it shall be returned to the Secretary. At the expiration of any period of suspension of a license, unless in the meantime it be revoked, the dates of the beginning and termination of the suspension shall be indorsed thereon, and it shall be returned to the inspector or weigher to whom it was originally issued, and it shall be posted as prescribed in § 106.61.

(b) Any license issued to an inspector or weigher shall automatically be suspended or terminated as to any warehouse whenever the license of such warehouse shall be suspended or revoked. Thereupon the license of such inspector or weigher shall be returned to the Secre-If such license is applicable to warehouses other than those for which the licenses have been suspended or revoked, the Secretary, or his designated representative, shall issue a new license to the inspector or weigher, omitting the names of the warehouses for which licenses have been so suspended or revoked. Such new licenses shall be posted as prescribed in § 106.61.

§ 106.71 Lost or destroyed licenses. Upon satisfactory proof of the loss or destruction of a license issued to an inspector or weigher, a duplicate thereof or a new license may be issued under the same or a new number.

§ 106.72 Unlicensed inspector or weigher; misrepresentation. No person shall in any way represent himself to be an inspector or weigher licensed under the act unless he holds an unsuspended and unrevoked license issued under the act.

BEAN INSPECTION AND CLASSIFICATION

§ 106.73 Statement of classification. Whenever the variety, grade, or condition of beans is required to be or is stated for the purposes of this act and the regulations in this part, it shall be stated in accordance with §§ 106.74-106.75.

§ 106.74 Standards to be used. The official bean standards of the United States are hereby adopted as the official beans standards for the purposes of the act and regulations.

§ 106.75 Statement of variety, grade, condition. Whenever the variety, grade or condition of beans is stated for the purpose of this act and the regulations in this part, the terms used shall be correctly applied and shall be so stated as not to convey a false impression of the beans. In case of doubt as to the variety, grade or condition of a given lot of beans, a determination shall be made of such facts by drawing samples fairly representative of the contents of the lot of beans offered for storage. These samples shall be thoroughly mixed, and after being so mixed, from this mixture by quartering a sufficient quantity shall be taken which shall constitute the sample for the purpose of determining the grade.

APPEAL OF GRADES

§ 106.76 Conditions and procedure of appeal. (a) If a question arises as to whether the variety, grade or condition of the beans was correctly stated in a receipt or inspection certificate issued under the act or the regulations in this part, the warehouseman concerned or any person financially interested in the beans involved may, after reasonable notice to the other party, submit the question to such representatives of the office as the Director may appoint. The decision of such representatives shall be final, unless the Director shall direct a review of the question. Immediately upon making their decision, these representatives shall issue a certificate embodying their findings to the appellants and the licensee or licensees involved.

(b) If the decision of the representatives of the Office be that the variety, grade, or condition was not correctly stated, the receipt or certificate involved shall be returned to and cancelled by the licensee who issued it, and the licensee shall issue in lieu thereof a new receipt or certificate embodying therein the statement of variety, grade, or condition, in accordance with the findings of the aforesaid representatives.

(c) All necessary and reasonable expense of such arbitration shall be borne by the losing party, unless the Director or his representative shall decide that the expense should be prorated between the parties.

MISCELLANEOUS

§ 106.77 Bonds required. Every person applying for a license, or licensed under section 9 of the act, shall, as such, be subject to all portions of the regulations in this part except § 106.5, so far as

they may relate to warehousemen. If there is a law of any State providing for a system of warehouses owned, operated, or leased by such State, a person applying for a license under section 9 of the act, to accept the custody of beans and to store the same in any of said warehouses, may, in lieu of a bond or bonds complying with §§ 106.11-106.12, file with the Secretary a single bond meeting the requirements of the act and the regulations in this part, in such form and in such amount not less than \$5,000 as he shall prescribe, to insure the performance by such person, with respect to the acceptance of the custody of beans and their storage in the warehouses in such system for which licenses are or may be issued, of his obligations arising during the periods of such licenses, or amendments thereto. In fixing the amount of such bond, consideration shall be given. among other appropriate factors, to the character of the warehouses involved, their actual or contemplated capacity, the bonding requirements of the State, and its liability with respect to such warehouses. If the Secretary, or his designated representative, shall find the existence of conditions warranting such action, there shall be added to the amount of the bond so fixed a further amount, fixed by him, to meet such

§ 106.78 Publications. Publications under the act and the regulations in this part shall be made in such media as the Director may from time to time designate.

§ 106.79 Information of violations. Every person licensed under the act shall immediately furnish the Office any information which comes to the knowledge of such person tending to show that any provision of the act or the regulations in this part has been violated.

§ 106.80 Procedure in hearings. (a) If requested by a licensee in his answer, or otherwise ordered by the Secretary or his designated representative, a hearing, of which reasonable notice shall be given, shall be held at the time and place fixed by the Secretary or his designated representative. The hearing shall be conducted by a presiding officer designated by the Solicitor or his representative from among those persons authorized by the Secretary to hold hearings. In any proceeding under this section, the parties may appear in person or by counsel or other representative. The non-appearance of the licensee at the time and place set for hearing shall be deemed the waiver of the right to an oral hearing. In the event that the licensee fails to appear at the hearing, the person appearing on behalf of the Secretary or his designated representative shall have an election whether to present his evidence, in whole or in part, in the form of affidavits, or by oral testimony before the presiding officer. The licensee failing to appear shall be deemed to have waived his right to participate in such hearing and shall be deemed to have consented to such disposition of the proceeding as the Secretary shall deem proper upon the basis of information before him or

such record as shall be made at any such hearing.

(b) No written transcript of the hearing is required unless requested on behalf of the Secretary or the licensee. transcript shall be made or considered part of the record until approved or certified by the presiding officer. In the absence of a written transcript, the presiding officer shall prepare a written summary of the relevant evidence received at the hearing. Testimony of the witnesses at the hearing shall be upon oath or affirmation and subject to crossexamination. The rules of evidence prevailing in courts of law shall not be controlling. The test of admissibility shall be the reliability, relevancy, and probative force of the evidence offered. Affidavits may be received in the discretion of the presiding officer if otherwise admissible. Upon the written application of a party to the proceeding, the presiding officer, at any time, may, after reasonable notice to the parties to the proceeding, order the taking of testimony by deposition. The deposition shall be taken before the presiding officer or before an officer authorized by the law of the United States or the law of the place of the examination to administer oaths, or before a person authorized by the Secretary to administer oaths. Every written entry in the records of the Department made by an officer or employee thereof in the course of his official duty which is relevant to the issue involved in a hearing shall be admissible as prima facie evidence of the facts stated therein without the production of such officer or employee. The hearing may be adjourned by the presiding officer from time to time. At the close of the hearing the presiding officer may allow a short period for the presentation of oral argument and for a summary of the facts disclosed at the hearing, and shall allow briefs to be filed within a period prescribed by him.

(c) The presiding officer, within a reasonable time after the hearing, shall prepare, upon the basis of the evidence received at the hearing, and shall file with the Secretary or his designated representative his report including summary of oral evidence, if any, proposed findings of fact, conclusions, and a recommended order. A copy of the presiding officer's report shall be served upon each of the parties to the hearing. Within 15 days after receipt of the summary of oral evidence, if any, and of the presiding officer's report, exceptions thereto and briefs in support thereof may be filed by the parties with the presiding officer. Upon receipt of exceptions to the presiding officer's report, the presiding officer may make such revisions in his report in the light thereof as he shall deem advisable. Thereafter, the presiding officer shall certify to the Secretary or his designated representative the record of the proceeding which shall contain the initiating notice, licensee's answer, if any, the notice of hearing, the certifications of service, the evidence received at the hearing, either stenographically transcribed or summarized by the presiding officer, including exhibits, stipulations, or other documents which have been received by the presiding officer, the presiding officer's report and such briefs and exceptions to the presiding officer's report as may have been filed in connection with the hearing. The Secretary or his designated representative, upon the receipt of the record of the hearing, may issue an order as recommended by the presiding officer or may prepare and issue such other order as may be required to effectuate the disposition of the proceeding in the manner determined by him. A final order shall be served by the Secretary or his designated representative upon the licensee concerned. Each party shall pay all expenses contracted by him in connection with any hearing under this section.

§ 106.81 One document and one license to cover several products. A license may be issued for the storage of two or more agricultural products in a single warehouse. Where such a license is desired, a single application, inspection, bond, record, report, or other paper, document or proceeding relating to such warehouse, shall be sufficient unless otherwise directed by the Director.

§ 106.82 Bond for combination ware-house. Where such license is desired, the amount of the bond, net assets, and inspection and license fees shall be determined by the Director in accordance with the regulations applicable to the particular agricultural product which would require the largest bond and the greatest amount of net assets and of fees if the full capacity of the warehouse were used for its storage.

§ 106.83 Amendments. Any amendment to, or revision of, these regulations, unless otherwise stated therein, shall apply in the same manner to persons holding licenses at the time it becomes effective as it applies to persons thereafter licensed under the act.

Issued at Washington, D. C., this 2d day of May 1945.

Assistant War Food Administrator.

[F. R. Doc. 45-7260; Filed, May 3, 1945; 11;11 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

> [WFO 125, Amdt. 3] PART 1414—POULTRY

War Food Order No. 125 (10 F.R. 1662), as amended (10 F.R. 1854, 2953, 3175), is hereby further amended by deleting therefrom the provisions in § 1414.8 (d) (1) (iii) and inserting, in lieu thereof, the following:

(iii) canned poultry packed prior to February 14, 1945, in glass or tin containers;

The provisions of this amendment shall become effective at 12:01 a. m.,

e. w. t., May 3, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 125, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 125, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 2d day of May 1945.

Ashley Sellers,
Assistant War Food Administrator.

[F. R. Doc. 45-7225; Filed, May 2, 1945; 3:30 p. m.]

TITLE 16-COMMERCIAL PRACTICES

Chapter I-Federal Trade Commission

[Docket No. 4984]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HILLYARD OPTICAL CO. ET AL.

§ 3.6 (a) Advertising falsely or misleadingly-Business status, advantages or connections of advertiser-History: § 3.6 (a) Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Qualifica-tions: § 3.6 (h) Advertising falsely or misleadingly-Fictitious or misleading guarantees: § 3.6 (i) Advertising falsely or misleadingly-Free goods or service: § 3.6 (r) Advertising falsely or misleadingly-Prices-Usual as reduced, special, etc.: § 3.6 (dd) Advertising falsely or misleadingly-Special or limited offers: § 3.6 (gg) Advertising falsely or misleadingly-Value: § 3.72 (e) Offering deceptive inducements to purchase or deal-Free goods: § 3.72 (k 10) Offering deceptive inducements to purchase or deal-Results guarantee: § 3.72 (m) Offering deceptive inducements to purchase or deal-Special offers, savings and discounts. I. In connection with the offering for sale, sale, and distribution of eyeglasses, lenses, or frames, and on the part of respondents Bernard B. Hillyard, Frederick C. Hillyard, and Francis R. Hillyard Jr., individually and as copartners trading as Hillyard Optical Company, or under any other name, and on the part of their representatives, etc., disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., the purchase in commerce, etc., of said eyeglasses, lenses or frames, which advertisements represent directly or through inference (a) that their business is the oldest optical establishment in Washington, D. C., or that they have been engaged in the optical business longer than is the fact; (b) that any service or commodity for which a charge is made, directly or indirectly, or the cost of which

is included in the purchase price of any other service or commodity, is free, either by the use of the term "free" or by any other term or terms of similar import or meaning; (c) that they guarantee satisfaction unless they do in fact furnish glasses satisfactory to their customers or accept the return of unsatisfactory glasses and refund the purchase price thereof; or (d) that the customary or usual price for any kind or type of glasses, lenses, or frames is a special or reduced price; or that an offer of glasses, lenses, or frames is limited in point of time when the offer is not in fact so limited; or that glasses, lenses, or frames offered are of a value in excess of the usual or customary price thereof; and, II., in connection with the offering for sale, sale, and distribution of eyeglasses, lenses, or frames, and on the part of respondent Francis R. Hillyard, Sr., his representatives, etc., disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., the purchase in commerce, etc., of said eyeglasses, lenses, or frames, which advertisements represent directly or through inference (a) that he is a college graduate optometrist or optician; or (b) that the customary or usual price for any kind or type of glasses, lenses, or frames is a special or reduced price, or that glasses, lenses, or frames offered are of a value in excess of the usual or customary price thereof; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Hillyard Optical Co., et al., Docket 4984, April 7, 19451

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of April, A. D. 1945.

In the Matter of Francis R. Hillyard, Sr., Bernard B. Hillyard, Francis R. Hillyard, Jr., Frederick C. Hillyard, Individually, and as Copartners Doing Business Under the Firm Names Hillyard Optical Company, Hillyard's Optical Service, Dr. F. R. Hillyard & Son, and F. R. Hillyard & Son; and John Giddings, an Individual

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of certain respondents, testimony and other evidence taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and briefs filed herein (oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

I. It is ordered, That respondents Bernard B. Hillyard, Frederick C. Hillyard, and Francis R. Hillyard, Jr., individually and as copartners trading as Hillyard Optical Company, or under any other name, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and dis-

tribution of eyeglasses, lenses, or frames, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or

through inference:

(a) That their business is the oldest optical establishment in Washington, D. C., or that they have been engaged in the optical business longer than is the fact.

(b) That any service or commodity for which a charge is made, directly or indirectly, or the cost of which is included in the purchase price of any other service or commodity, is free, either by the use of the term "free" or by any other term

or terms of similar import or meaning.
(c) That they guarantee satisfaction unless they do in fact furnish glasses satisfactory to their customers or accept the return of unsatisfactory glasses and refund the purchase price thereof.

(d) That the customary or usual price for any kind or type of glasses, lenses, or frames is a special or reduced price; or that an offer of glasses, lenses, or frames is limited in point of time when the offer is not in fact so limited; or that glasses, lenses, or frames offered are of a value in excess of the usual or customary price thereof.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said eyeglasses, lenses, or frames, any advertisement which contains any of the representations prohibited in paragraph 1 above.

II. It is further ordered, That respondent Francis R. Hillyard, Sr., an individual, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of eyeglasses, lenses, or frames, do forthwith cease and desist from directly

or indirectly:

1. Disseminating or causing to be disseminated by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference:

(a) That he is a college graduate op-

tometrist or optician.

(b) That the customary or usual price for any kind or type of glasses, lenses, or frames is a special or reduced price, or that glasses, lenses, or frames offered are of a value in excess of the usual or customary price thereof.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said eyeglasses, lenses or frames, any advertisement which contains any of the representations prohibited in paragraph 1 above.

III. It is further ordered, That, inasmuch as respondent John Giddings had no managerial direction or control over the business of the respondents he served as an employee, the complaint herein be, and the same hereby is, dismissed as to said John Giddings without prejudice to the right of the Commission to institute further proceedings should facts warrant such action.

IV. It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, Secretary.

[F. R. Doc. 45-7262; Filed, May 3, 1945; 11:06 a. m.]

[Docket No. 5113]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JOSEPH SPERLING, INC.

§ 3.6 (c) Advertising falsely or misleadingly-Composition of goods: § 3.6 (n) Advertising falsely or misleadingly— Nature—Product: § 3.66 (a7) Misbranding or mislabeling-Composition: § 3.66 Misbranding or mislabeling-Nature: § 3.96 (a) Using misleading name-Goods—Composition: § 3.96 (a) Using misleading name—Goods—Nature. In connection with the offering for sale, sale, and distribution of furs or fur garments in commerce, using the word "leopard", or any simulation thereof, either alone or in conjunction with any other word or words, to designate furs or fur garments not made from the peltries of the leopard; or designating or describing furs or fur garments in any way other than by the use of the true name of the fur as the last word of the designation or description; prohibited, subject to the provision, however, that if a fur is so dyed or processed as to simulate another fur and the name of the animal whose fur is so simulated be given, such name shall be immediately followed by and compounded with the words "dyed" or "processed", together with the true name of the animal producing the fur as the last word of the description, and all words of such designation shall be equally conspicuous. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Joseph Sperling, Inc., Docket 5113, April 11,

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of April, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admitted all of the material allegations of fact set forth in said complaint and waived all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Joseph Sperling, Inc., a corporation, its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of furs or fur garments in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith

cease and desist from: Using the word "leopard." or any simulation thereof, either alone or in conjunction with any other word or words. to designate furs or fur garments not made from the peltries of the leopard; or designating or describing furs or fur garments in any way other than by the use of the true name of the fur as the last word of the designation or description; Provided, That if a fur is so dyed or processed as to simulate another fur and the name of the animal whose fur is so simulated be given, such name shall be immediately followed by and compounded with the words "dyed" or "processed," together with the true name of the animal producing the fur as the last word of the description, and all words of such designation shall be equally conspicuous.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, Secretary.

[F. R. Doc. 45-7261; Filed, May 3, 1945; 11:06 a. m.]

TITLE 32-NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B-Expert Control [Amdt. 3]

PART 801-GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS
COMMODITIES

Section 801.2 Prohibited exportations is hereby amended in the following particulars:

The group and country designation in the column headed "Gen. Lic. Country Group" and the dollar value limits in the columns headed "GLV Dollar Value Limits" and "G-Post Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

4974	FEDERAL REGISTER, Friday, May 4, 1945
G-Post dollar value limits	
GLV dollar value limits country group K G+4	
Gen. Ifc. country group	None None None None None None None None
Commodity	Cotton manufactures—Continued. Finished cloth. Discheded, Gyed, jurited, stiffened or otherwise converted, and colored yarn fabries. Not over 40 thesis wide. The piece (nelvine that is and bedford cord). Disched the piece (nelvine that is and bedford cord). Disched the piece (nelvine that is and bedford cord). Disched the piece (nelvine that is and bedford cord). Disched the load and printed (include wide cretonnes). Cord and printed (include wide cretonnes). Printed (nelvine manufacture). Disched the piece (nelvine that is the piece (nelvine wide cretonnes). Printed by an fabries (all widths): Cord to the confort. Bleached Dyed in the piece Third. Cord of the piece of colored. Cord of the piece of colored. Napped Fabrie. Demins (include express stripes). Printed. Napped Fabrie. Colored yarn fabries, in the piece (include plain weave covery). Colored yarn fabries. Demins (include express stripes). Demins (include express stripes). Colored yarn fabries. Demins (include express stripes). Demins (include printed). Colored yarn fabries. Colored yarn fabries. Demins (include sprinted). Colored yarn fabries. Demins (include printed that, and white the piece (nelvine seepander and tiek in a piece (nelvine). Colored yarn fabries. Colored yarn fabries on the colored. Colored yarn fabries. Colored yarn fabries. Colored yarn fabries. Colored yarn fabries. Colored yarn fabries on the colored. Figures contide. Colored and expect goods. on e. s. (include very good of the pound (include express rags) in this fabries in 385.00 and 388.00. Colored and debries in 387.00 and 388.00. Colored and debries in 387.00 and 388.00. Colored and debries in 387.00 and 388.00. Figures contide. Table damas and the bries in 387.00 and 388.00. Colored and debries in 387.00 and 388.00. Colored yarn day
Dept. of Comm. Schedule B No.	2040, 00 2041, 10 2041, 10 2041, 10 2042, 10 2042, 20 2042, 10 2042, 20 2046, 00 2042, 20 2046, 00 2050, 00
G-Post dollar value limits	NNNNNN NNNNNN N NOOrge eesse e
The second secon	NNNNNN NNNNNN N NNNNNNN N NNNNNNN N NNNN
GLV dollar value limits country group K G+4	1000 1000
Gen, lie, country group	NO N
Commodity	Ocher edible animal products: Gestaffine espetiales, emply. Boots and chose (include athletic and sporting: Boots and chose (include athletic and sporting: Molet, governed. North and hosys. Sittehdown. Sittehdown. Sittehdown. Elippets and mocassine of the mine old. Sittehdown. Elippets and mocassine of the mine old. Sittehdown. Si
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Dept. of Comm. Schedule B No.	Commodity	Gen. lic.	GLV dollar value limits country group		G-Post dollar value
		group	К	0+4	limits
	Cotton manufactures—Continued.				
	Cotton wearing apparel—Continued. Knit goods: Hostery:				
3093.00	Women's	None	1	1	1
3094, 00	Women's Children's Men's	None	1	1	1
3095, 00	Underwear:	None	1	1	1
3096, 00	Men's and boys'. Women's and children's. Nightwear, knit, women's and children's (include bal-	None	1	1	1
3097.00	Women's and children's	None	1	1	1
3098, 00	briggan pajamas and Dentons)	None	1	4	1
	Outerwear, knit:	240110	N. V.	*	HILL ST
3099.10	Men's and boys' sweaters, jersey pullovers and	Name of the last			S N
2000 50	sweatshirts Women's and children's sweaters and shawls	None None	1	1	1
3099, 50 3099, 90	Knit apparel, n. e. s., (except men's) (include knit	74000	1		
0000,00	Knit apparel, n. e. s., (except men's) (include knit dresses) (report knit headwear in 3957.00)	None	1	1	1
0440-00	Garments of woven fabrics:	ATom		S VIII	more.
3113, 00 3114, 00	Men's and boys' jackets and windbreakers	None	1	1	1
0114.00	Overalls, breaches, pants, aprons, and men's work clothing, n. e. s. (include institutional uniforms) (re-				
	port shirts in 3117.10) Nightwear, men's and boys' Underwear, men's and boys'	None	1	1	1
3115, 00	Nightwear, men's and boys'	None	1	1	1
3116. 10	Work shirts	None None	1	1	1
3117. 10 3117. 20	Other men's and boys' shirts (except knit)	None	1	i	1
3120.00	Men's and boys' clothing of woven fabrics, n. e. s	None	î	î	î
3122, 00	Women's dresses and ensembles (include eyelet, velveteen and lace) (1-, 2-, and 3-piece as one unit).				
0404 00	velveteen and lace) (1-, 2-, and 3-piece as one unit)	None	1	1	1
3124.00	Women's and children's underwear and nightwear, not knit (include diapers).	None	1	1	100
3127.00	Children's outerwear, not knit	None	î	î	î
3129, 00	Women's apparel of woven fabrics, n. e. s. (include		B		
	blouses, shirts, bathrobes, uniforms and washable	ATTENDED	10 14	The state of	
Times at	apparel, n. e. s.) Bedding (report matresses in 3970.00):	None	1	1	1
3171,00	Blankets (report blanketing in the piece in 3055,90)		2222222		CONTRACTOR
3173, 00	Quilts, comfortables and quilted bedpads	None	1	1	1
2000000	Bedspreads:	******	Day		
3175.00 3176.00	Candlewick, chenille and tufted Plain, crinkle, dobby and Jacquard-woven (include lace	None	1	1	1
3110.00	bedspreads and counterpanes)	None	1	1	1
3178.00	Bedsheets and pillow cases	None	1	1	1
3181.00	Curtains and draperies (include cotton shower bath curtains)	-			
3187, 00	(report lace curtains in 3185.00). Terry-woven towels, wash cloths, and bath mats	None None	1	1	1
3188. 00	Huck, damask and plain-woven towels and toweling (include	None	1 4	1	
6100, 00	dishcloths, lenowoven)	None	1	1	1
3189.00	disheloths, lenowoven). House furnishings, n, e. s. (include napery, cotton floor coverings and furniture slip covers) (report terry-woven bath mats in	None	1	1	1
	and furniture slip covers) (report terry-woven bath mats in				
3199, 00	Mop heads, cotton	K	100	25	25
0100.00		-	200		-
6190,00	Hand-sewing needles	None	1	1	1
6209.98	soup spoons, tablespoons and teaspoons of stainless steel	None	25	25	25
6290, 00	Aluminum and manufactures: Bouvita and other aluminum ores	K	100	1 25	25
6295, 00	Bauxite and other aluminum ores Bauxite concentrates, including alumina	K	100	1 25	25
	Chemical specialties:		1		SINI
8299.70	Reagent chemicals for laboratory use:	37.37	2	- 112	
8299, 70	Potassium pyrogallate alkaline	None None	1	1	1
8299, 70 8299, 70	Sodium cobaltinitriteOther.	None	1	1	1
0200.10	Industrial chemicals:		EATHER DE		
	Zinc naphthenate	None	*1	*1	81

1 GLV value limit for shipments to Argentina \$1.

Shipments of any of the above commodities removed from general license, or whose GLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

This amendment shall become effective immediately upon publication except that with respect to commodities removed from general license or whose GLV or G-Post dollar value limits have been reduced, it shall become effective on May 7, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938, E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: April 26, 1945.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-7151; Filed, May 2, 1945; 9:56 a, m.]

[Amdt. 4]

PART 801—GENERAL REGULATIONS EXPORTS FOR ACCOUNT OF ITALY

Part 801 (General Regulations) is hereby amended by adding thereto § 801.19 as follows:

§ 801.19 Exports for the account of the Government of Italy. All commodities procured for the account of the Government of Italy by a United States Government procurement agency pursuant to authority granted by the Foreign Economic Administration in a Commitment Letter duly issued to such United States Government procurement agency may be exported to Italy by or for the account of the Government of Italy without regard to any of the other regulations contained in this subchapter. Collectors of Customs are authorized to clear such shipments for export without requiring presentation of the Commitment Letter or any other export license document provided such shipments are cleared under a Defense Aid Shipper's Export Declaration (Department of Commerce Form 7525-DA-V) containing reference to the requisition number or numbers under which such commodities were procured and such requisition number or numbers are identified by the prefix symbol "YT".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: April 27, 1945.

S. H. LEBENSBURGER,

Director,

Requirements and Supply Branch,

Bureau of Supplies.

[F. R. Doc. 45-7152; Filed, May 2, 1945; 9:56 a. m.]

Chapter IX-War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 16, as Amended May 3, 1945]

APPEALS PROCEDURE

Section 944.37 Priorities Regulation 16 is amended to read as follows:

§ 944.37 Priorities Regulation 16—(a) What this regulation does. This regulation explains the procedure for appealing from orders, regulations and administrative actions of the War Production Board, except suspension orders issued on the recommendation of Compliance Commissioners. It also explains how the appeals will be handled by WPB.

(b) Definitions. For purposes of the regulation; "An appeal" means a request

for individual relief on the grounds that compliance by the appellant or another would work an exceptional and unreasonable hardship which is not suffered generally by others in the same industry or activity, or on the grounds of improper discrimination. It does not include an initial application or initial request for an authorization, a preference rating, an allocation or any other administrative action expressly contemplated by the orders and regulations of WPB. In the absence of exceptional and unreasonable hardship not suffered generally by others or in the absence of improper discrimination an appellant may expect his appeal to be denied. There are two kinds of appeals, and they are defined below:

(1) "Appeal from an order or regulation" means an initial appeal for individual relief from any provision of a published order or regulation (including any published direction, schedule or other supplement to an order or regulation) which applies generally to all persons or to a class of persons described in the or-

der or regulation.

(2) "Appeal from administrative action" means an appeal for reconsideration or modification of WPB action taken with respect to a particular person. Such administrative actions include the issuance of or refusal to issue individual authorizations, directives, preference ratings, quotas or allotments. The action of the WPB in granting or denying an initial "appeal from an order or regulation", or in granting or denying an application for an authorization under an order, is an administrative action; so a request for reconsideration of such action on the grounds of hardship or improper discrimination is an "appeal from administrative action". Such an appeal is initially called a first "appeal from administrative action", and a further appeal from the WPB action taken upon it is called a second "appeal from administrative action".

(c) How appeals are prepared and filed. An appeal not prepared and filed as required below may be returned to the appellant without action.

(1) Number of copies. Unless otherwise specified, all appeals must be filed

(2) Form of appeal. An "appeal from an order or regulation" should refer to the provision appealed from, and must be filed on Form WPB-1477 unless the order or regulation specifies filing upon some other particular form letter. An "appeal from administrative action" must (unless otherwise stated in specific instructions) be filed by letter referring to the action appealed from and identifying the initial request by WPB form number and case number, if any.

(3) Statement of grounds for appeal. The fact that a person is appealing must be stated, and the grounds for claiming exceptional and unreasonable hardship or improper discrimination should be

clearly set out.

(4) Statement of manpower requirements. Unless the order or regulation specifically provides otherwise, every "appeal from an order or regulation" must be accompanied by a statement of manpower information on Form WPB-

3820 where a grant of the appeal, whether in whole or in part, would result in an increase in the current rate of production of any product by the person making the appeal, or would result in new production of a product not now being produced by him. However, if he will also apply to make the product for which the appeal is filed, under CMP Regulation 1, Priorities Regulation 11B, or Priorities Regulation 25; or will apply on Form WPB-617 for an authorization to construct facilities to produce the product for which the appeal is filed, Form WPB-3820 need not be filed with the appeal. When Form WPB-3820 is filed with an appeal on Form WPB-1477. Questions D-2 and D-3 on Form WPB-1477 need not be answered.

If the appeal is from a manufacturing restriction of an order or regulation and the appellant himself will not make the product to which the appeal relates, the Form WPB-3820 must be prepared and signed by the person who will make the product; or if the appeal is from other than a manufacturing restriction and the appellant will not use the product to which the appeal relates, the Form WPB-3820 must be prepared and signed by the person who will use the product

in his production operations.

If Form WPB-3820 is not required by this paragraph (4), then the "appeal from an order or regulation" must be accompanied by a letter from the appellant, the person who will make the product, or the person who will use it, as the case may be, stating that (i) no increase by him in the current rate of production of any product, and no new production of a product not now produced by him, will result from the granting of the appeal, or (ii) an application covering the proposed production is being made by him under CMP Regulation 1. Priorities Regulation 11B, Priorities Regulation 25, or that an application for authorization to begin construction is being made by him on Form WPB-617.

(5) Request for consideration by the Appeals Board. If the appellant, in the case of a second or further "appeal from administrative action", wants consideration of his appeal by the Appeals Board, he should expressly request in writing its referral to the Appeals Board as further explained in paragraph (e) below.

(d) Where appeals are filed. (1) "Appeals from orders or regulations" must be filed where indicated in the orders or regulations. If there is no indication, such appeals should be addressed to Appeals Routing Unit, War Production Board, Washington 25, D. C. An exception to this rule is that a person who, in connection with the subject matter of his appeal, is also making an application on any form which he is instructed to file in a field office may, at his election, attach his appeal to the application and file both with the appropriate field office.

(2) An "appeal from administrative action" should be filed at the same place the initial application or "appeal from an order or regulation" was filed, or if the administrative action was based upon neither an application nor an "appeal from an order or regulation" it should be addressed to the Appeals Routing

Unit, War Production Board, Washington 25, D. C. However, any request to reopen a case granted or denied on the recommendation of the Appeals Board may be filed with that Board. Appeals should never be addressed to the Executive Secretary or Recording Secretary who attests the execution of War Pro-

duction Board actions.
(e) Appeals Board. (1) The Appeals Board of the War Production Board is established as an impartial body primarily to consider second and further "appeals from administrative actions" in cases in which exceptional and unreasonable hardship or improper discrimination is claimed, except as stated in subparagraph (3) below. Any person complaining of administrative action on these grounds may have a second or further "appeal from administrative action" submitted to the Appeals Board for final action if he expressly requests it in writing. On the other hand, the Appeals Board will not normally consider any cases which do not involve these factors or which are not second or further "appeals from administrative actions". not its ordinary function to review actions involving judgment as to the proper distribution of materials, programming of military or civilian production and their relative essentiality. If the basis for the second or further appeal is the essentiality to the war effort and not a claim of exceptional and unreasonable hardship or improper discrimination, no request for referral to the Appeals Board should be made. For further information concerning proceedings before the Appeals Board see Direction 1 to this regulation.

(2) Any second or further "appeal from administrative action" in which exceptional and unreasonable hardship or improper discrimination is claimed, if not granted promptly on the recommendation of the official who took the action appealed from (or an official superior to him) will be referred to the Appeals Board: Provided, That the referral has been expressly requested in writing by the appellant. However, the referral to the Appeals Board will preclude further consideration of the case by such officials on the above grounds, and the decision of the Appeals Board will be final.

(3) In a case where the action was taken by the Office of War Utilities an 'appeal from administrative action" will not be referred to the Appeals Board except in the discretion of the Director of

the Office of War Utilities.

(f) Grants and denials of appeals. An "appeal from an order or regulation" will generally be granted or denied on the recommendation of the official administering the order or regulation. When the original administrative action has been taken by a field office of WPB the appeals in certain cases will be sent to Washington. A first "appeal from administrative action" may be granted or denied on the recommendation of the official who took the original action. A second or further "appeal from administrative action" may likewise be granted or denied unless referral to the Appeals Board has been requested in writing by the appellant. A second or further "appeal from administrative action" may be granted or denied on the recommenda-

tion of the Appeals Board.

The grant or denial of any appeal in whole or in part will be valid only when issued in the name of the War Production Board, countersigned or attested by the Executive Secretary or Recording Secretary, or in accordance with WPB Regulation No. 1 (§ 903.0). The grant or denial of an appeal referred to the Appeals Board will be indicated by a phrase such as "on the recommendation of the Appeals Board'

The denial of any appeal, in whole or in part, on the recommendation of the Appeals Board, is final unless the Appeals Board elects to reopen the matter, but the denial of an appeal on the recommendation of the Office of War Utilities is final unless that office elects

to reopen the matter.
(g) Public files. Whenever an order or another regulation of the War Production Board expressly so provides, public files containing records relating to the appeals from such orders or regulations or from administrative actions taken under them shall be set up and shall be available for public inspection during the business hours of the War Production Board.

Issued this 3d day of May 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN. Recording Secretary.

[F. R. Doc. 45-7267; Filed, May 3, 1945; 11:25 a. m.]

PART 944-REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES

[Priorities Reg. 16, Direction 1]

INFORMATION FOR APPELLANTS CONCERNING PROCEEDINGS BEFORE THE APPEALS

The following direction is issued pursuant to Priorities Reg. 16:

(a) Appeals procedure. (1) The rules governing the form and place of filing appeals are stated in Priorities Regulation 16, which

should be consulted.
(2) Within the War Production Board different kinds of appeals are often handled in different ways. However, regardless of the internal routing of appeals, an appellant may as a matter of right obtain consideration of his case by the Appeals Board. The

tion of his case by the Appeals Board. The only exception is stated in paragraph (e) (3) of Priorities Regulation 16.
(3) The decisions of the Appeals Board are the final decisions of the War Production Board unless the Appeals Board elects to reopen the case. It will not ordinarily reopen a case unless the appellant offers new and substantial information in addition to that previously presented.

that previously presented.

(b) Action by the Appeals Board. (1) Owing to the constantly changing demands of war production the Appeals Board cannot always follow "precedents" established in earlier cases. It is the policy of the Board, however, to follow previous actions so long as to do so is consistent with existing War Production Board policies.

(2) Whether a hardship is exceptional and unreasonable or whether there has been improper discrimination is often a question of degree. The Board weighs carefully the facts in each case in the light of similar hardships falling upon others. The Board may consider hardship upon the appellant, the appellant's employees, the local community, or particular consumers.

(c) Hearings by the Appeals Board. If the Apppeals Board desires to obtain additional facts not contained in the file it may, in its discretion, hold a public hearing on any appeal. In such a case the Appeals Board will fix the date and time of the hearing by correspondence with the appellant, or by telephone. Hearings are held only in Washington, D. C.

Washington, D. C.

(2) Any appellant may request a hearing. The Appeals Board tries to arrange for all hearings requested. Most appeals, however, are decided on the basis of the written record without hearings. The appellant's case is not prejudiced by the fact that he does not

request a hearing.
(3) When required for wartime security, the Appeals Board may decline to make public recommendations or information consid-

ered by it in reaching a decision.

(d) Presentation of case if a hearing is held.

The Appeals Board is not a judicial body, hence its proceedings are not limited by legal rules of evidence. Hearings before the Board are informal and you may present your case in your own way. It is not necessary to be represented by counsel although you may be if you so choose. Ordinarily the oath is not administered to witnesses. Nevertheless, any misrepresentation of fact, or any withholding of fact is punishable under the Federal Stat-The obligation is just as serious as if the oath were administered. The following

comments may be of help to you:
(1) It is well to open your case with a short statement of the issues involved and the facts which you rely as causing exceptional and unreasonable hardship, or indicating im-

proper discrimination.
(2) You can then develop the issues in greater detail so as to give the Board a clear understanding of the supporting facts.

(3) All statements intended to bear upon the Board's decision should, so far as possible, be supported by proof or exhibits.

(4) It is often convenient, although not necessary, to provide the members of the Board (of whom there are five) with a writ-ten statement of statistical and other pertinent data offered in support of your case

(5) Following your statement the Administrator of the Order, or other official who has previously considered your case is heard if he wishes to make any statement. Members of the Board then usually ask questions relating to the issues involved, as they are entitled to do at any point in the proceedings.

(6) Persons claiming an interest in an ap-

peal are then, in the discretion of the Appeals Board, given an opportunity to be heard, This may include competitors, representa-tives of various divisions of the War Production Board or representatives of the Army, Navy or other government agencies.

The appellant before the hearing is closed is then given an opportunity to answer such comments as have been made.

(8) Hearings are expected to take not more than one hour but additional time may be granted in exceptional cases.

(9) A verbatim transcript of the hearings is taken and becomes a part of the record. The Appeals Board considers only the relevant evidence in reaching its decisions.

Issued this 3d day of May 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-7268; Filed, May 3, 1945; 11:26 a. m.]

PART 1010-SUSPENSION ORDERS [Suspension Order S-135, Revocation]

HAYES MFG. CORP.

Suspension Order No. S-135, effective November 12, 1942, was issued November 9, 1942, against Hayes Manufacturing Corporation, 551 Seventh Street NW., Grand Rapids, Michigan. During the period April 1 to June 30, 1942, the company was permitted, under Limitation Order L-29, to use 24.64 tons of steel in the manufacture of certain metal signs. Notwithstanding the limitation order the company used 133.60 tons of steel in the manufacture of signs, and Suspension Order No. S-135 was issued November 9, 1942, prohibiting the respondent from making delivery of any and all metal signs and metal sign parts in its possession, except as directed by the Director General for Operations for the purpose of recovery of the scarce materials contained in such signs and sign parts for use in the war effort.

An appeal was filed with the Chief Compliance Commissioner on February 12, 1943. The case was reviewed by the Deputy Chief Compliance Commissioner, as a result of which on April 2, 1943, the Deputy Chief Compliance Commissioner directed that Suspension Order No. S-135 be amended. In view of the fact that Limitation Order L-29 was revoked on April 26, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-135 be revoked

forthwith.

In view of the foregoing, it is hereby ordered, that:

§ 1010.135, Suspension Order No. S-135 be revoked, effective May 3, 1945.

Issued this 3d day of May 1945.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-7269; Filed, May 3, 1945; 11:25 a. m.]

PART 3281-PULP AND PAPER

[Limitation Order L-120, Schedule III as Amended May 3, 1945, Amdt. 1]

FINE WRITING PAPERS INCLUDING RAG AND CHEMICAL BONDS, WRITINGS, LEDGERS, WEDDINGS, REPRODUCTIONS, AND DUPLICAT-ING PAPERS, COVERS, INDEX AND BRISTOLS

Amend Schedule III to Limitation Order L-120 in the following respect:

(a) On page 9, column 3 under the caption "Chemical Wood Pulp Printing Bristols" insert the figure ", 120" after the figure "100" and before the period in line 3 of subparagraph A (3).

Issued this 3d day of May 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-7266; Filed, May 3, 1945; 11:26 a. m.]

PART 4501-COMMUNICATIONS [Utilities Order U-2, as Amended May 3, 1945] TELEPHONE SERVICE

Section 4501.1 Utilities Order U-2 is amended to read as follows:

Definitions.

Availability of facilities for essential

(c) Limitations on additional telephones.

Limitations on replacements.

Non-applicability to certain replace-(e) ments and additions.

Exemption of armed forces. Engineering and planning.

Reports.

Appeals and applications.

Violations.

Communications. Schedule A.

Schedule B. Schedule C.

Utilities Order U-2-\$ 4501.1 (a) Definitions. (1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service within, to, or from the United States, its territories or possessions.

(2) "Schedule A service" means service to the extent required for the proper discharge of duties in the direct defense, public health, welfare and security categories listed on Schedule A attached.

(3) "Merchant Marine" has the same meaning as in Section I of Public Law numbered 87, Seventy-Eighth Congress,

approved June 23, 1943.
(b) Availability of facilities for essential uses. (1) Operators shall disconnect service when they learn that the present real user of service is not a user contemplated in the service agreement. Any such disconnections shall be considered "normal disconnections" within the meaning of paragraph (b) (2) below.

(2) Exchange line plant, exchange central office equipment, or telephone sets made available through normal disconnection or by new acquisition shall be used to take care of applications for serv-

ice in the following order:

(i) Schedule A service, public pay station service and service specifically authorized by the War Production Board because of essentiality or unreasonable hardship.

(ii) Changes of address of business service within the same exchange or to another exchange of the same operator within the same metropolitan area or within such other area as is defined by the operator's established practices.

- (iii) New business service for an enterprise which the operator finds is substantially owned and principally operated or managed by a veteran who applies for service within twelve months after being honorably separated or placed on terminal leave from the armed forces of the United States or the merchant marine provided such enterprise is expected to be the veteran's principal means of livelihood. The applicant for service must certify to these facts in substantially the form set forth in the Certification Form (WPBI-2545).
 - (iv) New business service.
- (v) Changes of address of residence service within the same exchange or to another exchange of the same operator within the same metropolitan area or

within such other area as is defined by the operator's established practices.

(vi) Additions to existing business

(vii) New residence service set forth in Schedule B.

(viii) New residence service set forth in Schedule C.

(ix) New residence service other than that included in categories (i), (vii) and

(x) Where the operator finds that immediate installation of service is essential to the protection of life, such installation may be made as an exception to the order provided in the above categories. Such service shall, however, be disconnected promptly at the termination of the emergency and the facilities used to take care of applications as otherwise specified above.

(3) Idle facilities may be reserved to the extent operators find necessary to meet promptly the known or fairly anticipated requirements for Schedule A service and to provide for essential public

pay station service.

(4) To the extent necessary to meet minimum needs for Schedule A service and for essential public pay station service, operators shall make available additional exchange central office equipment or exchange line plant by regrading any service under the following provisions:

(i) Regrading is to be done only when current installations of central office equipment permit. Regrading of Schedule A service and of business service is to be done only if regraded service meets

minimum service needs.

(ii) Residence service shall be regraded before business service. Any regrading shall be in the reverse order of the dates of connection at the existing locations, that is, the most recent shall be regraded first.

(5) Subject to the provisions of (b) (4) (i) and (b) (4) (ii) above, operators shall regrade existing service to the extent necessary to provide service authorized by the War Production Board because of essentiality or unreasonable

hardship.

(c) Limitations on additional telephones. (1) Residence extension service. Operators shall not install or reconnect residence extension telephones, residence extension bells, except loud ringing bells, or residence P. B. X. telephones, nor as a substitute provide additional main lines or stations on party lines. This provision has the following exclusions and exceptions:

(i) Temporary installations of one residence extension may be made when the operator finds it essential in cases of

serious illness.

(ii) For practicing physicians and surgeons, the operator may install one extension telephone to meet professional requirements. The operator may also provide a connection with an answering bureau.

(iii) The installation and reconnection in residence quarters of telephones connected to private branch exchanges serving hotels, apartment houses, etc., may be made to the extent that no more than one such telephone may be provided in any residence quarters.

(d) Limitation on replacements. Operators shall not make replacements of P. B. X. systems with dial equipment.

(e) Non-applicability to certain replacements and additions. The terms of this order shall not prohibit wire communications projects approved by the War Production Board on Form WPB-2774 or other appropriate form.

(f) Exemption of armed forces. The restrictions of paragraph (d) shall not apply to facilities for the official use of the armed forces or the Veterans' Ad-

ministration.

(g) Engineering and planning. All operators shall engineer all replacements or additions to central office equipment so as to limit the margin for expected growth of requirements to a period not in excess of one and one-half years.

(h) Reports. All operators affected by this order shall execute and file with the Office of War Utilities such reports as the Director, Office of War Utilities, shall from time to time require; subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of

(i) Appeals and applications. Applications for relief under this order or appeals should be filed on Form WPB-2117, except for those concerning paragraphs (d) and (g) which shall be made

on Form WPB-2774.

(j) Violations. Any person who wilfully violates any provision of the order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assist-

(k) Communications. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Communications Division, Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-2.

Issued this 3d day of May 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

SCHEDULE A-CATEGORIES TO BE ACCORDED PREF-ERENCE IN OBTAINING SERVICE TO THE EXTENT REQUIRED FOR THE PROPER DISCHARGE OF DUTIES IN DIRECT DEFENSE, PUBLIC HEALTH, WELFARE AND SECURITY

1. Armed forces and government. (a) Official Army, Navy, Marine Corps and Coast Guard Units and the Veterans' Administra-Office of Civilian Defense Units.

(b) Official Federal, State, county, and municipal government services.

(c) Official agencies of foreign governments.

2. War production and directly related activities. (a) Business concerns furnishing material, equipment or facilities under prime or subcontracts to the Armed Forces of the United States or their suppliers), Petroleum operators for their oil or gas producing or drilling operations. The business offices of persons who regularly perform special services for these business concerns, such as consulting engineers, chemists, lawyers, and accountants. The business offices of persons rendering special service in connection with construction of defense projects authorized by the War Production Board, such as contractors, engineers, and architects. Labor unions having bona fide collective bargaining agreements with business concerns identified in this Schedule A.

(b) Public transportation, pipe line companies, all types of public utilities.

(c) Business concerns who regularly maintain or service equipment essential to the Armed Forces, war production, public trans-portation, public utilities, and pipe line

companies. 3. Public health and welfare. (a) Public or private organizations directly serving the public safety, health or welfare, such as: hospitals, clinics, sanitoria; physicians, sur-geons, dentists, nurses, nurses' registries, veterinarians, ambulance services, manufacveterinarians, amoutance services, inaturat-turers or distributors (wholesale and retail) of drugs, surgical, medical, hospital or dental supplies or equipment; mortuaries, burial service organizations; the American Red Cross and similar agencies.

(b) Philanthropic and eleemosynary organizations recognized as such by the Bureau of Internal Revenue, including their fundraising offices; United Service Organizations and other similar organizations; religious establishments and their officiating clergy; Christian Science Practitioners; public and

private schools.

(c) Press associations, newspapers, radio broadcasting stations.

(d) The business or management offices of

new housing developments.

(e) Food processing, food distribution (wholesale and retail) and food storage organizations and producers of substantial quantities of food.

SCHEDULE B

Categories to be accorded preference in

obtaining service in the order provided in paragraph (b) (2).

1. Residence service where the attending physician or surgeon certifies in substantially the form set forth in the Schedule B Certifi-cation Form (WPBI-2101) that there exists a condition of serious illness or pregnancy involving serious complications, that he must be called repeatedly at unpredictable intervals for emergency treatment and that in view of all the circumstances telephone service is essential. Such service shall be termi-nated within 30 days of the termination of the conditions specified above.

2. Residence service required where a person lives alone and the attending physician certifies in substantially the form set forth in the Schedule B Certification Form (WPBI-2101) that such person is confined to residence quarters for a protracted period by reason of serious illness or physical disability and that in view of all the circumstances telephone service is essential. The phrase "lives alone" includes a person who is alone all day or during the day or night working hours, except for one or more children aged fifteen years or younger or another person similarly certified to be confined to residence quarters by reason of serious illness or physical disability. Such service shall be terminated within 30 days after the termination of the conditions specified above.

SCHEDULE C

Categories to be accorded preference in obtaining service in the order provided in

paragraph (b) (2).

1. Residence service for the wife of a member of the armed forces of the United States or the merchant marine who is on active duty away from home, where she is pregnant and there is no one else in her household or where her household consists only of herself and one or more children aged fifteen years or younger and under the same circumstances for a widow whose husband died since January 1, 1940 while a member of the armed forces of the United States or the merchant marine. The applicant for service must certify to these facts in substantially the form set forth in the Schedule C Certification Form (WPBI-2102).

2. Residence service for those who discontinued residence service upon entering the armed forces of the United States or the merchant marine and who apply, within twelve months after being honorably separated or placed on terminal leave from the armed forces or the merchant marine for residence service within the area indicated in paragraph (b) (2) (v). The applicant for service must certify to these facts in substantially the form set forth in the Schedule C Certification Form (WPBI-2102).

[F. R. Doc. 45-7270; Filed, May 3, 1945; 11:25 a. m.]

Chapter XI-Office of Price Administration

PART 1351-FOOD AND FOOD PRODUCTS [RMPR 296, Amdt. 7]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS, BLENDERS, PRIMARY DISTRIBUTORS AND FLOUR JOBBERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 296 is amended in the following respect:

Section 10 is amended to read as fol-

SEC. 10. Sales to government agencies under special circumstances—(a) Exemption of emergency purchases. Whenever circumstances of emergency make a purchase by the United States or any of its agencies imperative and it is impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, such purchases and deliveries may be made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 of the General Maximum Price Regulation, as amended: Provided, however, That the Administrator may by order waive the reporting of any part of the information required by section 4.3 (f) in connection with the particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances and he may in lieu thereof require the reporting of other information more suited to the circumstances.

(b) Purchases under certain unusual circumstances. (1) Whenever uncertainties in respect to the flour production payments program make a purchase by the Armed Forces, or by the War Food Administration impossible or make it unfair to require the miller to sell subject to the maximum price in effect at the time of delivery, such Armed Forces or the War Food Administration may contract to buy and the miller may contract to sell at a price no higher than the maximum price in effect on the date of the contract of sale and may include in such contract a provision to the effect that if. at the time of delivery, the flour production payments program has been modi-

fied or eliminated, the Armed Forces or the War Food Administration may pay and the miller may receive the amount agreed upon in the contract of sale (not exceeding the applicable maximum price on the date of the contract of sale) plus the amount resulting from the application of the appropriate per bushel flour production payment rate in effect on the date of the contract of sale, less any flour production payment payable by any government agency on the production of the flour involved.

(2) Any miller holding a contract with a government agency pursuant to the provisions of subparagraph (1) above, may subcontract with another miller for the production and delivery of the whole or any portion of the flour covered by such contract. Such subcontract may include a provision in accordance with the provision as to the payment of consideration set forth in subparagraph (1)

This amendment shall become effective May 2, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES. Administrator.

[F. R. Doc. 45-7227; Filed, May 2, 1945; 4:51 p. m.]

> PART 1362-CERAMIC PRODUCTS [MPR 416, Amdt. 5]

BASIC REFRACTORY PRODUCTS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 416 is amended in the following respects:

1. Paragraph 6.4 (a) is amended to read as follows:

(a) The maximum prices for special furnace magnesite in bulk per net ton, f. o. b. Chewelah, Washington, shall be

Brand and Producers Price StaSet-Special C, The Standard Lime & Stone Co____ \$28.50 Electro StaSet, The Standard Lime & Stone Co. 28.50

Standard Magnesite, The Standard Lime & Stone Co Lime & Stone Co______ \$28.50 Hearth Patch, Basic Refractories, Inc. 28.50

The maximum prices set forth above are for deliveries east of the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. The maximum prices for deliva eries by Basic Refractories, Incorporated, to any new purchaser west of the above-mentioned boundaries shall be \$34.05 per net ton in bulk, f. o. b. cars, Narlo, Ohio.

A delivered price in excess of the maximum f. o. b. Chewelah, Washington, price may be charged, consisting of such maximum price plus transportation charges in effect at the time of shipment from Chewelah, Washington, to the point of delivery designated by the purchaser.

- 2. Section 6.5 (d) is amended to read as follows:
- (d) The packaging charges which may be added to the maximum prices for furnace magnesite shipped from Chewelah, Washington, or from the point of production, are the same as contained in section 6.3 (c) above.

Where the purchaser requires delivery from stock accumulated at some point other than the place of production, the packaging charges which may be added to the maximum prices set forth above shall be:

 Type of package:
 Per net ton

 Paper sacks
 \$2.50

 Single cloth sacks
 3.50

 Double jute sacks
 7.50

 Hardwood barrels
 10.00

This amendment shall become effective May 8, 1945.

Issued this 3d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7274; Filed, May 3, 1945; 11:43 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS [MPR 336, Amdt. 22]

RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 336 is amended in the following respects:

 Section 1 is amended to read as follows:

SECTION 1. What this regulation does. This regulation fixes dollar-and-cents ceiling prices on all retail sales of fresh and processed pork cuts and on all retail sales of the following sausage products: fresh and smoked pork sausage and breakfast sausage, frankfurters, bologna, Lebanon bologna, all beef knackwurst, and all beef salami, loaves, Braunschweiger, fresh and smoked liver sausage, liver cheese, liver pudding, New England, minced luncheon, Berliner or Berlin and Polish sausage. It also fixes ceiling prices on all retail sales of sausage products which you purchase in cans and sell uncanned, including dollar-and-cents ceiling prices for the following: "spiced luncheon meat", "spiced ham", "pressed ham, boneless, chopped", and "pressed pork, boneless, chopped". It also fixes ceiling prices for all sales of the meat and sausage products covered by this regulation which operators of retail selling establishments or stores are authorized to make from such retail selling establishments or stores, to purveyors of meals, and to other retailers for resale purposes. The only retail pork cuts which may be sold are those named and priced in section 19 of this regulation. The United States is divided into zones and different ceiling prices depend on the zone where your store is, its group, the pork cut you

are selling, the processed product you are selling, or the type and casing, wrapper or container of the sausage product you are selling. A store includes any place where pork cuts or sausage products, subject to this regulation, are sold at retail.

- 2. Subparagraph (6) of section 4 (a) is amended to read as follows:
- (6) The following pork and sausage products for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation: Uncanned sausage products which are described in section 2 (a) (1) of Maximum Price Regulation No. 389 (Ceiling Prices for Certain Sausage Items at Wholesale).
- 3. Paragraph (b) of section 5 is amended by changing the words preceding subparagraph (1) to read as follows:
- (b) If you operate a retail selling establishment or store you may make sales from such establishment or store to hotels, restaurants, institutions and other eating places selling or furnishing meals, but all of your sales to such buyers made from such establishment or store must be made in conformity with only one of the following alternative provisions:
- 4. Subparagraph (1) of section 5 (b) is amended by changing the first sentence to read:
- (1) You may sell them retail meat cuts, variety meats and edible by-products, sausage and wholesale meat cuts for which retail prices are specified in Maximum Price Regulations Nos. 336, 355 and 394 from your retail selling establishment or store, but except as provided in subparagraph (2) hereof the total dollar volume of such sales must not exceed 20% of the total dollar volume of meat sales made from such retail selling establishment or store during any current month.
- 5. Subparagraph (2) of section 5 (b) is amended by changing the part preceding subdivision (i) to read as follows:
- (2) You may sell them retail meat cuts, variety meats and edible by-products, sausage, and wholesale meat cuts for which retail prices are specified in Maximum Price Regulations Nos. 336, 355 and 394 from your retail selling establishment or store and such sales may be in excess of 20% of the total dollar volume of meat sales made from such retail selling establishment or store, but only if you conform to the following requirements:
- 6. Subdivision (vi) of section 5 (b) (2) is amended to read as follows:
- (vi) Furthermore, you shall, upon each sale to eating places, keep the records required by Section 7 of this regulation, Section 9 of Maximum Price Regulation No. 355 and Section 9 of Maximum Price Regulation No. 394. If your dollar volume of meat sales during any current three months period to eating places is in excess of the permitted dollar volume as determined under this paragraph (b) (2), or if you otherwise violate or fail to comply with any of the requirements

hereof, your authority to make sales to purveyors of meals in excess of 20% of your current monthly total dollar volume of meat sales shall be subject to suspension or revocation in whole or in part by the appropriate District Director for whatever period, and subject to whatever conditions he may deem necessary, and you will be liable to all other proper civil and criminal penalties or other remedies imposed or authorized by law.

- 7. Subparagraph (3) of section 5 (b) is amended to read as follows:
- (3) You may sell them fabricated meat cuts pursuant to the provisions of Revised Maximum Price Regulations Nos. 169 and 239 from your retail selling establishment or store within the limits and at or below the maximum prices specified in those regulations only if you have a quota to sell such cuts, and you may sell them wholesale meat cuts, wholesale variety meats and edible byproducts and wholesale sausage items pursuant to the provisions of Revised Maximum Price Regulations Nos. 148, 169 and 239 and Maximum Price Regulations Nos. 389 and 398 from your retail selling establishment or store subject only to the volume limitations, if any, specified in those regulations; Provided That you do not sell them any retail meat cuts, retail variety meats and edible products or retail sausage items from such retail selling establishment or store. Your maximum prices for such sales shall be those established in the cited wholesale regulations.
- 8. Subparagraphs (5) to section 5 (b) is added to read as follows:
- (5) Wherever used in this paragraph (b) of section 5 the phrase "total dollar volume of meat sales" means the sum obtained by adding together the amounts received by a retail selling establishment or store for all sales of retail meat cuts, variety meats and edible by-products, miscellaneous beef items, sausage, and wholesale meat cuts for which retail prices are established in Maximum Price Regulations Nos. 336, 355 and 394 made to ultimate consumers, to purveyors of meals under the provisions of subparagraphs (1), (2) and (4) of this paragraph (b), and to other retailers under the provisions of paragraph (d) of this section 5, but does not include the amounts received for sales made to purchasers under the provisions of Revised Maximum Price Regulations Nos. 148, 169 and 239, and Maximum Price Regulations Nos. 389 and 398.
- 9. Section 7 is amended by the addition of the following sentence at the end thereof: "On and after May 8, 1945, you must keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices, receipts or other written records provided by your meat supplier or suppliers which pertain to purchases of meat made by you."

This amendment shall become effective May 8, 1945.

Note: The record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7277; Filed, May 8, 1945; 11:44 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 355,1 Amdt. 25]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 355 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. What this regulation does. This regulation fixes dollar-and-cents ceiling prices on all retail sales of beef. veal, lamb and mutton cuts made on and after June 21, 1943, on all retail sales of variety meats and edible by-products made on and after June 5, 1943, and on all retail sales of dried beef (sliced) made on and after September 8, 1943. It also fixes ceiling prices for all sales of the meats, variety meats and edible byproducts, and miscellaneous beef items covered by this regulation which operators of retail selling establishments or stores are authorized to make from such retail selling establishments or stores to purveyors of meals and to other retailers for resale purposes. The only retail beef, veal, lamb and mutton cuts, variety meats and edible by-products, and miscellaneous beef items which may be sold are those described in section 20 of this regulation. The United States is divided into zones and different ceiling prices depend on the zone where your store is, its group, and the grade of meat you are selling. A store includes any place where beef, veal, lamb and mutton cuts or variety meats and edible byproducts are sold at retail.

- 2. Paragraph (b) of section 5 is amended by changing the words preceding subparagraph (1) to read as follows:
- (b) If you operate a retail selling establishment or store you may make sales from such establishment or store to hotels, restaurants, institutions and other eating places selling or furnishing meals, but all of your sales to such buyers made from such establishment or store must be made in conformity with only one of of the following alternative provisions:
- 3. Subparagraph (1) of section 5 (b) is amended by changing the first sentence to read:
- (1) You may sell them retail meat cuts, variety meats and edible byproducts, sausage and wholesale meat cuts for which retail prices are specified in Maximum Price Regulations Nos. 336, 355 and 394 from your retail selling es-

- tablishment or store but except as provided in subparagraph (2) hereof the total dollar volume of such sales must not exceed 20% of the total dollar volume of meat sales made from such retail selling establishment or store during any current month.
- 4. Subparagraph (2) of section 5 (b) is amended by changing the part preceding subdivision (i) to read as follows:
- (2) You may sell them retail meat cuts, variety meats and edible by-products, sausage, and wholesale meat cuts for which retail prices are specified in Maximum Price Regulations Nos. 336, 355 and 394 from your retail selling establishment or store and such sales may be in excess of 20% of the total dollar volume of meat sales made from such retail selling establishment or store, but only if you conform to the following requirements:
- 5. Subdivision (vi) of section 5 (b) (2) is amended to read as follows:
- (vi) Furthermore, you shall, upon each sale to eating places, keep the records required by section 9 of this regulation, section 7 of Maximum Price Regulation No. 336 and section 9 of Maximum Price Regulation No. 394. If your dollar volume of meat sales during any current three months period to eating places is in excess of the permitted dol-lar volume as determined under this paragraph (b) (2), or if you otherwise violate or fail to comply with any of the requirements hereof, your authority to make sales to purveyors of meals in excess of 20% of your current monthly total dollar volume of meat sales shall be subject to suspension or revocation in whole or in part by the appropriate District Director for whatever period, and subject to whatever conditions he may deem necessary, and you will be liable to all other proper civil and criminal penalties or other remedies imposed or authorized by law.
- 6. Subparagraph (3) of section 5 (b) is amended to read as follows:
- (3) You may sell them fabricated meat cuts pursuant to the provisions of Revised Maximum Price Regulations Nos. 169 and 239 from your retail selling establishment or store within the limits and at or below the maximum prices specified in those regulations only if you have a quota to sell such cuts, and you may sell them wholesale meat cuts, wholesale variety meats and edible byproducts and wholesale sausage items pursuant to the provisions of Revised Maximum Price Regulations Nos. 148, 169 and 239 and Maximum Price Regulations Nos. 389 and 398 from your retail selling establishment or store subject only to the volume limitations, if any, specified in those regulations: Provided, That you do not sell them any retail meat cuts, retail variety meats and edible by-products or retail sausage items from such retail selling establishment or store. Your maximum prices for such sales shall be those established in the cited wholesale regu-

- 7, Subparagraph (5) to section 5 (b) is added to read as follows:
- (5) Wherever used in this paragraph (b) of section 5 the phrase "total dollar volume of meat sales" means the sum obtained by adding together the amounts received by a retail selling establishment or store for all sales of retail meat cuts, variety meats and edible by-products, miscellaneous beef items, sausage, and wholesale meat cuts for which retail prices are established in Maximum Price Regulations Nos. 336, 355 and 394 made to ultimate consumers, to purveyors of meals under the provisions of subparagraphs (1), (2) or (4) of this paragraph (b) and to other retailers under the provisions of paragraph (d) of this section 5, but does not include the amounts received for sales made to purchasers under the provisions of Revised Maximum Price Regulations Nos. 148, 169 and 239, and Maximum Price Regulations Nos. 389 and 398.
- 8. Section 6 is amended by the addition of paragraph (c) to read as follows:
- (c) You are prohibited by Office of Economic Stabilization Regulation No. 1 from buying or receiving, or selling or offering for sale any beef, veal, lamb or mutton which has not been graded and grade marked in accordance with its provisions. If despite that prohibition you sell or offer for sale any beef, veal, lamb or mutton retail cut obtained from a carcass or wholesale cut which has not been so graded and grade marked, or if you sell or offer for sale any beef, yeal. lamb or mutton wholesale cut for which retail prices have been established in this regulation and which has not been so graded and grade marked, the prices you charge or offer to charge for such retail cuts obtained from ungraded and unmarked carcasses or wholesale cuts of beef, veal, lamb or mutton, or the prices you charge or offer to charge for such ungraded and unmarked wholesale cut shall not exceed the maximum price established in this regulation for the corresponding retail or wholesale cut of the lowest grade of beef, veal, lamb or mut-
- 9. Section 9 is amended by the addition of the following sentence at the end thereof: "On and after May 8, 1945, you must keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices, receipts or other written records provided by your meat supplier or suppliers which pertain to purchases of meat made by you."
- 10. Subparagraph (6) is added to section 12 (b) to read as follows:
- (6) The sale of wholesale cuts of beef, veal, lamb or mutton for which retail prices have not been established in section 22 of this regulation to individuals for consumption by themselves or their families off your premises. If despite this prohibition you sell or offer for sale to any such individual any wholesale cut of beef, veal, lamb or mutton for which retail prices have not been established in section 22 of this regulation, the prices you charge or offer to charge for such wholesale cuts of meat shall not ex-

ceed the maximum prices established in Revised Maximum Price Regulation No. 169 or Revised Maximum Price Regulation No. 239, whichever is applicable, for the same grade and wholesale cut of beef, yeal, lamb and mutton when sold by the slaughterer.

This amendment shall become effective May 8, 1945.

Note: The record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of May 1945.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 45-7276; Filed, May 3, 1945; 11:44 a. m.]

PART 1364—Fresh, Cured and Canned Meat and Fish

[MPR 394, Amdt. 13]

RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 394 is amended in the following respects:

 Section 1 is amended to read as follows:

SECTION 1. What this regulation does. This regulation fixes dollar-and-cents ceiling prices on all retail sales of kosher beef, veal, lamb and mutton cuts, variety meats and edible by-products and kosher sausage. It also fixes ceiling prices for all sales of the kosher meats, variety meats and edible by-products and kosher sausage products covered by this regulation which operators of kosher retail selling establishments or stores are authorized to make from such kosher retail selling establishments or stores to purveyors of kosher meals and to other kosher retailers for resale purposes. You shall not sell any retail kosher beef, veal, lamb or mutton cuts, variety meat item or edible by-product at a price higher than the ceiling price for the corresponding non-kosher retail cut or item, or at the ceiling price fixed in this regulation, unless you maintain a store at or through which you regularly and generally sell kosher meat as such.

Kosher meat means any retail cut, variety meat item, edible by-product, or kosher sausage product derived from livestock slaughtered, approved and stamped as kosher under rabbinical supervision and sold after preparation according to Jewish dietary law. The only retail kosher beef, veal, lamb and mutton cuts which may be sold are those described in section 16 of this regulation. The United States is divided into zones, and different ceiling prices depend on the zone where your store is, its group, and the grade of meat you are selling. A store includes any place where kosher beef, veal, lamb and mutton cuts or variety meats and edible by-products are sold at retail.

2. Paragraph (b) of section 5 is amended by changing the words preceding subparagraph (1) to read as follows:

(b) If you operate a retail selling establishment or store you may make sales from such establishment or store to hotels, restaurants, institutions and other eating places selling or furnishing meals, but all of your sales to such buyers made from such establishment or store must be made in conformity with only one of the following alternative provisions:

- 3. Subparagraph (1) of section 5 (b) is amended by changing the first sentence to read:
- (1) You may sell them retail meat cuts, variety meats and edible by-products, sausage and wholesale meat cuts for which retail prices are specified in Maximum Price Regulations Nos. 336, 355 and 394 from your retail selling establishment or store, but except as provided in subparagraph (2) hereof the total dollar volume of such sales must not exceed 20% of the total dollar volume of meat sales made from such retail selling establishment or store during any current month.
- 4. Subparagraph (2) of section 5 (b) is amended by changing the part preceding subdivision (i) to read as follows:
- (2) You may sell them retail meat cuts, variety meats and edible by-products, sausage, and wholesale meat cuts for which retail prices are specified in Maximum Price Regulations Nos. 336, 355 and 394 from your retail selling establishment or store and such sales may be in excess of 20% of the total dollar volume of meat sales made from such retail selling establishment or store, but only if you conform to the following requirements:
- (5) Subdivision (vi) of section 5 (b)(2) is amended to read as follows:
- (vi) Furthermore, you shall, upon each sale to eating places, keep the records required by section 9 of this regulation, section 9 of Maximum Price Regulation No. 355 and section 7 of Maximum Price Regulation No. 336. If your dollar volume of meat sales during any current three months period to eating places is in excess of the permitted dollar volume as determined under this paragraph (b) (2), or if you otherwise violate or fail to comply with any of the requirements hereof, your authority to make sales to purveyors of meals in excess of 20% of your current monthly total dollar volume of meat sales shall be subject to suspension or revocation in whole or in part by the appropriate District Director for whatever period, and subject to whatever conditions he may deem necessary, and you will be liable to all other proper civil and criminal penalties or other remedies imposed or authorized by law.
- 6. Subparagraph (3) of section 5 (b) is amended to read as follows:
- (3) You may sell them fabricated meat cuts pursuant to the provisions of Revised Maximum Price Regulations Nos. 169 and 239 from your retail selling establishment or store within the limits and at or below the maximum prices

specified in those regulations only if you have a quota to sell such cuts; and you may sell them wholesale meat cuts, wholesale variety meats and edible byproducts and wholesale sausage items pursuant to the provisions of Revised Maximum Price Regulations Nos. 148, 169 and 239 and Maximum Price Regulations Nos. 389 and 398 from your retail selling establishment or store, subject only to the volume limitations, if any, specified in those regulations: *Provided*, That you do not sell them any retail meat cuts, retail variety meats and edible by-products or retail sausage items from such retail selling establishment or store. Your maximum prices for such sales shall be those established in the cited wholesale regulations.

- 7. Subparagraph (5) to section 5 (b) is added to read as follows:
- (5) Wherever used in this paragraph (b) of section 5 the phrase "total dollar volume of meat sales" means the sum obtained by adding together the amounts received by a retail selling establishment for all sales of retail meat cuts, variety meats and edible by-products, miscellaneous beef items, sausage, and wholesale meat cuts for which retail prices are established in Maximum Price Regulations Nos. 336, 355 and 394 made to ultimate consumers, to purveyors of meals under the provisions of subparagraphs (1), (2) and (4) of this paragraph (b) and to other retailers under the provisions of paragraph (d) of this section 5. but does not include the amounts received for sales made to purchasers under the provisions of Revised Maximum Price Regulations Nos. 148, 169 and 239, and Maximum Price Regulations Nos. 389
- 8. Section 6 is amended by the addition of paragraph (c) to read as follows:
- (c) You are prohibited by Office of Economic Stabilization Regulation No. 1 from buying or receiving, or selling or offering for sale any kosher beef, veal, lamb or mutton which has not been graded and grade marked in accordance with its provisions. If despite that prohibition you sell or offer for sale any kosher beef, veal, lamb or mutton retail cut obtained from a carcass or wholesale cut which has not been so graded and grade marked, or if you sell or offer for sale any kosher beef, veal, lamb or mutton wholesale cut for which retail prices have been established in this regulation and which has not been so graded and grade marked, the prices you charge or offer to charge for such retail cuts obtained from ungraded and unmarked carcasses or wholesale cuts of kosher beef, veal, lamb or mutton, or the prices you charge or offer to charge for such ungraded and unmarked kosher wholesale cut shall not exceed the maximum price established in this regulation for the corresponding retail or wholesale cut of the lowest grade of kosher beef, veal, lamb or mutton.
- 9. Section 9 is amended by the addition of the following sentence at the end thereof: "On and after May 8, 1945, you must keep for inspection by the Office of

Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices, receipts or other written records provided by your meat supplier or suppliers which pertain to purchases of meat made by you."

10. Subparagraph (4) is added to section 12 (b) to read as follows:

(4) The sale of wholesale cuts of kosher beef, veal, lamb or mutton for which retail prices have not been established in section 19 of this regulation to individuals for consumption by themselves or their families off your premises. If despite this prohibition you sell or offer for sale to any such individual any wholesale cut of kosher beef, veal, lamb or mutton for which retail prices have not been established in section 19 of this regulation, the prices you charge or offer to charge for such wholesale cuts of kosher meat shall not exceed the maximum prices established in Revised Maximum Price Regulation No. 169 or Revised Maximum Price Regulation No. 239, whichever is applicable, for the same grade and wholesale cut of kosher beef. veal, lamb or mutton when sold by the slaughterer.

This amendment shall become effective May 8, 1945.

Note: The record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of May 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-7275; Filed, May 3, 1945; 11:44 a. m.]

PART 1390—MACHINERY AND TRANSPORTA-TION EQUIPMENT

[MPR 375, Amdt. 6]

SALES OF USED INDUSTRIAL SEWING MA-CHINES AND RENTAL RATES FOR NEW AND USED INDUSTRIAL SEWING MACHINES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1390.156a is hereby revoked.

This amendment shall become effective May 8, 1945.

Issued this 3d day of May 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-7273; Filed, May 3, 1945; 11:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 395, Amdt. 39]

IMPORTED CIGARETTES IN VIRGIN ISLANDS

A correction to the statement of considerations involved in the issuance of Amendment 39 to Maximum Price Regulation 395 was filed with the Division of the Federal Register as Document No.

45-4557 (NP) on May 2, 1945, at 4:51 p.m.

PART 1499—COMMODITIES AND SERVICES [RMPR 165, Amdt. 1 to Supp. Service Reg. 50]

DELEGATION OF AUTHORITY TO ISSUE AREA ORDERS AFFECTING CERTAIN SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.648 (c) is amended by adding subparagraph (2) to read as fol-

lows:

(2) The Regional Administrator for Region VI or the Chicago District Director, if he has been authorized to act by the Regional Administrator, may issue general area orders establishing the maximum rates which may be charged for grain brokerage services rendered by members of the Board of Trade of the city of Chicago, Illinois.

This amendment shall become effective May 8, 1945.

Issued this 3d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7278; Filed, May 3, 1945; 11:45 a. m.]

PART 1499—COMMODITIES AND SERVICES [MPR 580, Amdt. 1 to Gen. Retail Order 2]

ALTERNATIVE METHODS OF PREPARING BASE DATE PRICING CHARTS AND CERTAIN REC-ORDS

An opinion accompanying this amendment 1 to General Retail Order No. 2 under section 23 of Maximum Price Regulation 580 issued simultaneously herewith has been filed with the Division of the Federal Register.

General Retail Order No. 2 under section 23 of Maximum Price Regulation 580 is amended by adding thereto a new section 8 to read as follows:

SEC. 8. Chains requiring modification of provisions relating to chart preparation and pricing—(a) Extensions of time. Whenever the Administrator is satisfied that any group of stores under common ownership or control cannot, with diligent effort, conform to any requirement of the regulation or any general retail order issued pursuant thereto by the time therein specified, he may permit such extensions of time for any such group of stores as he deems necessary

(b)-Modifications of provisions. The Administrator may, by order, modify any provision contained in the regulation or in any general retail order for any group of retail outlets under common ownership or control which demonstrates conclusively that its methods of operation are not adaptable to the requirements of the regulation or of any general retail order which has been issued under the

regulation. Applications under this paragraph must be filed with the Office of Price Administration, Washington 25, D. C., and must specify in full detail a plan of operation under the regulation which will not raise the level of prices, the modification of the provisions of the regulation or general retail order necessary to permit applicant to operate under its plan, and must set forth the reasons for the requested modification.

This amendment shall become effective May 2, 1945.

Note: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7230; Filed, May 2, 1945; 4:50 p. m.]

PART 1499—COMMODITIES AND SERVICES [SR 14J, Amdt. 5]

INSECTICIDE SPRAYERS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Regulation No. 14J to the General Maximum Price Regulation is amended in the following respects: Section 2.6 is added to read as follows:

Sec. 2.6 Maximum prices for resale of certain insecticide sprayers manufactured by the H. D. Hudson Manufacturing Company of Chicago, Illinois—(a) Scope of this section. This section fixes maximum prices for resale by the Standard Oil Company of Indiana and McCormick & Company and their jobbers and retailers, of the Models No. 303ND, and 403ND, Fog, insecticide sprayers manufactured by H. D. Hudson Manufacturing Company, of 589 East Illinois Street, Chicago 11. Ill.

(b) Maximum prices.

	Article		
	Model No. 303ND, fog insecticide sprayer	Model No. 403ND, fog insecticide sprayer	
For sales to wholesale	\$2,50 perdozen.	\$3.25 perdozen.	
jobbers. For sales to retailers For sales to users	\$3.00 perdozen. \$0.35 each	\$3,90 perdozen. \$0,45 each.	

These prices are subject to the seller's customary terms, discounts, allowances, and other price differentials on sales to each class of purchaser.

(c) Notification. At or prior to the time of the first invoice the Standard Oil Company of Indiana and McCormick and Company shall notify in writing each jobber and retailer who purchases direct from them and each jobber shall notify in writing each retailer who purchases from him of the maximum prices established by this section for resales of the sprayers by the purchaser. This

^{1 10} F.R. 4239.

written notice may be given in any convenient form.

This amendment shall become effective on the 8th day of May 1945.

Issued this 3d day of May 1945.

CHESTER BOWLES. Administrator.

[F. R. Doc. 45-7272; Filed, May 3, 1945; 11:43 a. m.]

TITLE 49-TRANSPORTATION AND RAILROADS

Chapter I-Interstate Commerce Commission

PART 110-PRESERVATION AND DESTRUCTION OF RECORDS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the

20th day of April, 1945.

The matter of the "Regulations to Govern the Destruction of Records of Steam Railroads" to be prescribed for and kept by steam railroads being under consideration by the Division, pursuant to the authority of section 20 of the Interstate Commerce Act, and upon consideration of the matters and things involved, and the Division having found that the "Regulations to Govern the Destruction of Records of Steam Railroads, Issue of 1945," hereto attached and made a part hereof, are necessary for purposes of administration of the provisions of Part I of the act; it is ordered:

1. Regulations prescribed. Every steam railroad subject to the provisions of the Interstate Commerce Act, and every trustee, executor, administrator, or assignee of any such steam railroad, is hereby required to comply with the "Regulations to Govern the Destruction of Records of Steam Railroads, Issue of 1945," in the destruction and retention of their operating accounting financial papers, records, books, blanks, tickets, stubs, and documents of steam railroads.

2. Effective date. The "Regulations to Govern the Destruction of Records of Steam Railroads, Issue of 1945," shall-become effective on June 1, 1945.

3. And it is further ordered, that a copy of this order and the "Regulations to Govern the Destruction of Records of Steam Railroads, Issue of 1945," herein prescribed shall be served upon every steam railroad subject to the act and upon every trustee, executor, administrator, or assignee of any such steam railroad, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Section 20 (7) (b) of the Interstate Commerce Act reads as follows:

Any person who shall knowingly and willfully make, cause to be made, or participate in the making of, any false entry in any annual or other report required under this section to be filed, or in the accounts of any book of accounts or in any records or memoranda kept by a carrier, or required under

this section to be kept by a lessor or other person, or who shall knowingly and willfully destroy, mutilate, alter, or by any other means or device falsify the record of any such accounts, records, or memoranda, who shall knowingly and willfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions appertaining to the business of the carrier, lessor, or person, or shall knowingly and willfully keep any accounts, records, or memoranda contrary to the rules, regulations, or orders of the Commission with respect thereto, or shall knowingly or willfully file with the Commission any false report or other document, shall be deemed guilty of a misdemeanor and shall be subject, upon conviction in any court of the United States of competent jurisdiction to a fine of not more than five thousand dollars or imprisonment for not more than two years, or both such fine and imprisonment: Provided, That the Commission may in its discretion issue orders specifying such operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents of such carriers, lessors, or other persons as may, after a reasonable time, be destroyed, and prescribing the length of time the same shall be preserved.

The regulations set forth in this order pertain only to the accounts, records, and memoranda named or described herein. All accounts, records, and memoranda not indicated in the regulations remain under the prohibition of destruction contained in section 20 of the act.

It is not intended that these regulations shall be interpreted as requiring that the records herein named shall be installed, when such records are not already kept by a carrier.

The following "Regulations to Govern the Destruction of Records of Steam Railroads" subject to the Interstate Commerce Act are in lieu of Part 110. Subpart A, 49 CFR.

Sec.

110.1 Authority to destroy certain records. 110.2 Preservation of other records.

110.3 Officer having supervision of destruction.

110.4 Written authority of officer having supervision of destruction. Certificates of destruction. 110.5

110.6 Committee for destruction of certain records.

110.7 Joint bureaus and agencies. 110.8 Nonoperating companies.

110 9 Method of destruction.

Accidental destruction of accounts, 110.10

records, and memoranda.

Duplicate accounts, records, and 110.11 memoranda.

110.12 List of accounts, records, and memoranda, and periods of retention.

AUTHORITY: §§ 110.1 to 110.12, inclusive, is sued under 34 Stat. 594, 35 Stat. 648-649, 54 Stat. 918; 49 U. S. C. 20.

Authority to destroy certain records. Each and every steam railroad subject to Part I of the Interstate Commerce Act and each and every trustee. executor, administrator or assignee of any such carrier, is permitted to destroy the accounts, records, and memoranda named or described in the regulations in this subpart, after preserving the same for the periods of time respectively specified and upon complying with the requirements of the regulations in this subpart. The regulations in this subpart do not exempt steam railroads from compliance with any other statutory requirements for the preservation of accounts, records, and memoranda for longer periods than those herein specified.

§ 110.2 Preservation of other records-(a) Special permission to destroy. (1) All accounts, records, and memoranda of such carriers, other than those the destruction of which is permitted in the said regulations, shall remain under the prohibition of destruction contained in section 20 of the Interstate Commerce Act as amended. (2) However, in case any such carrier desires to destroy any accounts, records, or memoranda other than those hereinafter named, it may petition the Commission to that effect. stating a full and detailed description of the accounts, records, or memoranda in question, clearly explaining their character, their use, and their purpose; it being understood that any order entered by the Commission on any such petition shall, unless otherwise provided. be limited in its force and effect to the particular carrier presenting such petition.

(b) Photographic copies. Steam railroads may be granted authority to preserve photographic copies of certain records in lieu of original records or copies thereof. Application for authority shall be filed in the form of a letter which shall describe the particular records intended to be preserved by this method and the process to be used.

§ 110.3 Officer having supervision of destruction. (a) An officer, or, where necessities require, two officers, shall be appointed by the board of directors of the carrier to have supervision of the destruction of accounts, records, and memoranda. Such officer or officers may be given (1) general supervision of the destruction of all accounts, records, and memoranda the destruction of which is permitted by the regulations in this subpart, or (2) authority over the destruction of such of these accounts, records, and memoranda as may be specified by the board of directors. Pending action later to be confirmed by the board of directors, a temporary appointment by an executive committee or by a similarly authorized committee of the board of directors, shall have the same effect as if made by the board of directors. A copy of the resolution of appointment shall be filed promptly with the Commission before the destruction of accounts, records, and memoranda.

(b) If the property of a carrier is in the hands of a trustee, executor, administrator, or assignee, the officer or officers to have supervision of the destruction of accounts, records, and memoranda shall be designated by the trustee, executor. administrator, or assignee. A copy of the order designating such officer or officers shall be filed with the Commission before the destruction of accounts, records, and memoranda.

(c) In designating an officer or officers to have general supervision of the destruction of accounts, records, and memoranda it is preferable to designate by title only, rather than by name and title, and thus obviate the necessity of adopting a new resolution each time a successor in the office is appointed.

§ 110.4 Written authority of officer having supervision of destruction. (a) When any accounts, records, or memoranda are to be destroyed, an officer having supervision of the destruction of accounts, records, or memoranda (as designated in compliance with § 110.3 (a) and (b)) shall issue a written authority naming the person or persons by whom the accounts, records, or memoranda are to be destroyed (except as provided for in § 110.11).

(b) The written authority (1) may be confined to certain accounts, records, and memoranda which have been retained for the periods of time specified in the regulations in this subpart and which the carrier then desires to destroy, in which case it shall indicate:

First. A list of the account, records, or memoranda to be destroyed, expressed either in form numbers or by descriptive titles; and Second. The period or periods covered by the accounts, records, or memoranda the destruction of which is authorized.

or (2) may be of continuing effect, applying to any or all the accounts, records, and memoranda named herein as the periods of retention of such accounts, records, or memoranda attain the limits specified herein.

(c) Such written authority, or a certified copy thereof, shall be filed in the office of the issuing officer as a permanent part of the carrier's records. It is not required that copies of these specific written authorities be filed with the Commission.

§ 110.5 Certificates of destruction.

(a) The person or persons upon whom devolves the duty of the direct supervision of the destruction of the accounts, records, or memoranda under the authority referred to in § 110.4 (b) (1) shall make certificate (except as provided for in §§ 110.5 (d) and 110.11) setting forth that the accounts, records, or memoranda listed in the said authority have been destroyed and that no other accounts, records, or memoranda than those so listed have been destroyed therewith.

(b) If an authority as referred to in \$110.4 (b) (2) is given, a certificate of destruction shall be made listing by form numbers and descriptive titles the accounts, records, and memoranda destroyed, naming the period or periods covered by the accounts, records, or memoranda, and stating that no other accounts, records, or memoranda than those so listed have been destroyed therewith. Either (1) a separate certificate shall be made each time any accounts, records, or memoranda are destroyed, or (2) cumulative certificates shall be made with entries each time any accounts, records, or memoranda are destroyed.

(c) Certificates of destruction shall be forwarded promptly to the officer having supervision of the destruction of accounts, records, and memoranda who issued the written authority and shall be retained in his office as a permanent part of the carrier's records. In case cumulative certificates are made they shall be forwarded to such officer periodically, but at least once every six months. It is not required that copies of these specific certificates of destruction be filed with the Commission.

(d) Certificates of destruction need not be made for accounts, records, and memoranda, the destruction of which, in the list in § 110.12 hereof, is made optional with the carrier, but a written authority, either for specific records or of continuing effect (except as provided for in § 110.11), shall be issued by the officer having supervision of the destruction of such accounts, records, and memoranda.

§ 110.6 Committee for destruction of certain records. At the option of the carrier the board of directors of the carrier may from time to time name a committee to destroy by conversion into pulp or by cremation, canceled stock certificates, bonds, or other records covered by item 6 of § 110.12 in lieu of delegating the authority for the destruction to an officer, as provided in § 110.3 (a). A copy of the resolution of the board of directors naming such committee shall be filed promptly with the Commission. A certificate of destruction giving full descriptive reference to the documents destroyed shall be made by the person or persons appointed by the officer having supervision of the destruction of records or by this committee, and it shall be permanently retained by the carrier. When documents represent debt secured by mortgage, the certificates of destruction shall also be authenticated by representatives of the trustees acting in conjunction with this committee or shall have the trustees' acceptance thereon.

§ 110.7 Joint bureaus and agencies. The regulations in this subpart apply also to the destruction of accounts, records, and memoranda of traffic associations, fast freight lines, demurrage and car service bureaus, weighing and inspection bureaus, and other joint agencies maintained by or on behalf of steam railroads. The manager, chairman, or other officer in charge of the association, bureau, etc., may be delegated by the designated officer of each of the carriers to have supervision of the destruction of accounts, records, and memoranda of the association, etc., and in that event he shall issue all authorities for such destruction, and certificates of destruction shall be filed with him. Otherwise, a written authority shall be obtained from the proper officer of the member carriers concerned each time any of the accounts, records, or memoranda are to be destroyed, and a certificate of destruction shall be filed with each such

§ 110.8 Nonoperating companies. A company owning or controlling steam railroad property which it does not operate but which it leases to others for operating purposes shall observe the regulations in this subpart in case it desires to destroy any of its corporate or financial accounts, records, or memoranda.

§ 110.9 Method of destruction. (a) The precise method of the destruction of accounts, records, or memoranda is not prescribed. The Commission is not concerned with the method of destruction, whether by fire, sale, conversion into pulp, or otherwise, so long as the destruction is authorized and a certificate of destruction is filed as required by the regulations in this subpart.

(b) If the accounts, records, and memoranda are not actually destroyed by the carrier, but are disposed of by sale or otherwise, the certificate of destruction shall so state. Attention is directed to section 15 of the Interstate Commerce Act, which provides that a carrier shall not divulge to any person information concerning the business of a shipper or consignee which may be used to the detriment of such shipper or consignee. Responsibility for possible infringement of this provision of the law by disposing of its records by other than actual destruction would rest with the carrier.

§ 110.10 Accidental destruction of accounts, records, and memoranda. If any accounts, records, or memoranda are destroyed accidentally by fire, flood, or other casualty, a statement shall be prepared listing so far as may be possible the records destroyed and detailing the circumstances in connection with the fire or other casualty. This statement shall be authenticated by an officer or some responsible employee of the carrier and shall be filed with the officer having supervision of the destruction of accounts, records, and memoranda. A copy of the statement certifying such destruction shall be filed promptly with the Commission.

§ 110.11 Duplicate accounts, records, and memoranda. (a) Provision is made in Item 251a of § 110.12 for the destruction of agency copies of certain accounts, records, and memoranda after such documents have been retained for the periods assigned to the originals. In destroying these copies the certificates of destruction may be dispensed with, but a written authority as provided for in § 110.4 (a) and § 110.4 (b) shall be issued and appropriately filed with the officer having jurisdiction over the destruction of records.

(b) Provision is made in Item 251b of \$110.12 for the optional destruction of duplicate copies of accounts, records, and memoranda when such copies are not specifically provided for elsewhere in the regulations in this subpart and when they contain no information not shown on the originals. In destroying such copies carriers may dispense with the written authorities and the certificates of destruction. The originals (or one true copy) shall be retained for the respective periods named for such records in the regulations.

§ 110.12 List of accounts, records, and memoranda, and periods of retention. The following list is indicative of accounts, records, and memoranda of steam railroads specifically referred to by the regulation embodied in § 110.1. The description of the accounts, records, and memoranda enumerated below under the various general headings is merely for convenient reference and identification. The regulations are intended to apply to the items as named or described, regardless of the description and regardless of where filed. Of the accounts, records, and memoranda which are to be retained permanently only the more important are stated in the list, this specific mention being made so that they may not be confused with any accounts, records, or memoranda for which permiss sion to destroy is herein given.

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Period to be re-		6 years, 3 years, 6 years, 3 years.	2 years. 3 years. 6 years.	3 years. 6 years.	3 years. 3 years. 2 years.	6 years.	4 years.	1 year after d position. Until receipt settlement.	o years.	4 years.	z years. 6 years.	eyears.	6 years.	6 years.	I year.	4 years.	Permanent, Optional, Optional, Syears,	Optional.
Description of accounts, etc.	GENERAL AND FINANCIAL—continued	(e) Ledgers, journals, and other records of outstanding vouchers, checks, drafts, etc., issued and not presented. (f) Periodical statements of working ledgers, or records of checks. (g) Bank deposit books, and stubs, ledgers, or records of checks. (h) Silps or statements giving the postings of miscellaneous receipts and payments of funds if the information contained thereon is shown in other records.	(f) Vorderler hists showing mailing dates and to whom sent M.O Coptes of deposit situs Miscellarious records perhaining to agents' accounts: (a) General office records of ledgers of agents' accounts showing debits and credits	(b) Records and files of indemnity bonds incident to transportation and other charges. (c) General office records relating to extension of credit for transportation and other others other charges.	(d) Statements of corrections in agents' accounts. Traveling accountants and anditors' reports of examinations, audits, and transfers by special accountants, traveling auditors, time inspectors, weight in- spectors, etc. and supporting papers. Records rectaning to verifications of treasures' cash, or scentifies.	RECENUES Records of freight revenue: Journals, ledgers, or other records summarizing the debits and credits arising from freight settlements with agents and others, and from inter-	the settlements with other darings is then as respiritiations of regim wayous or stations and by other carriers, either abstracts, etc. Interline freight settlements: Division settlements, abstracts, statements, of differences, correction seconds, summaries, and seconds correct por accounts, annuaries, and seconds correct partialing to the settlements of interline freight became between carriers and fast freight lines.	Unsettled waybills: (a) Record of unsettled waybills, waybills in suspense, etc. (b) Tracers and supporting papers concerning unsettled freight waybills	Records of passenger revenue, Journals, ledgers, or other records summarizing the debbts and evelits arising from passenger revenue settlements with agents, conductors, and with other earriers; such as recapitulations of passenger revenue by stations, by other earriers, etc.	Interline passenger fare settlements: Interline tieket reports, summaries, statements of differences, statements of corrections, and accounts current pertaining to settlements of interline passenger revenue between carriers, passenger associations, and mileage and sorth bureaus.	Records of each fare collections: Journals, ledgers, or other records of each fare bouled- tions on trains. Records of sundry passenger-train revenues: Journals, ledgers, or other records, de- talls, or summaries arising from settlements with agents and others of excess-baggage talls, or summaries arising from settlements with agents and others of excess-baggage talls, or summaries arising from settlements with agents and others of excess-baggage talls, or summaries arising from settlements with agents and others of excess-baggage	to return, part of state of state of speed a service train revenue. Records of switching revenue, sand speed service train revenue. Records of switching revenue. Journals, ledgers, or other revonts summaring the debits and credits arising from settlements with agents and others affecting switching.	revenue. Records of demurage and storage revenues: Journals, ledgers, or other records summarizing the debits and credits arising from settlements of demurage and storage revenues with agents and others; reports and settlements from demurage and storage revenues with records of encellation and refinned of demurase and storage revenues.	Recards of revenue from operations other than transportation: (a) Journals, ledgers, or other regards summarking settlements with agents and others of revenue from station and train privileges, parcel rooms, takeplane and telegraph service, reals of buildings and other property, and miscel-	(b) Original telegrams returned by telegraph companies in support of settlements under contracts.	Distribution of labor expenditures: Journals, ledgers, or other records showing the detailed distribution of labor expenditures charged to all accounts, including memorrands, and memorandum recapitulation sheets.	(a) Applications and authorities for changes in pay rolls (b) Applications for pay roll changes not authorities for pay roll changes not authorized (c) Applications for pay roll changes not authorized (d) Records and memoranda pertaining to deductions from pay rolls (e) Records and emboranda pertaining the deductions from pay rolls	(f) Canceled pay checks drawn in favor of "bearer" in payments on services control of Canceled pay checks drawn in favor of "bearer" in payment of wages for which receipt is shown on pay rolls or other records retained by carrier. (g) Comparative or analytical statements of pay rolls.
Item	9	61	8		E 81	8	31	23	23	. 34	8 8	37	88	8	19/10	99	5	
o pe re-		44 44	4	nt. nt.		2 years. 6 years. Optional.	years. years. ptionsl after com- pliance with	or text.	444	at.	nt.	nt.	44 4	r expira- werage.	erexpira	Overage.		
Period to be re-		Permanent. Permanent. Permanent. Permanent.	Permanent 2 years. 1 year.	Permanent. Permanent.	2 years. 3 years. 1 year.	2 years. 6 years. Optional	6 years. 6 years. Optional plian	Permanent. Permanent.	Permanent, Permanent, Permanent,	Permanent.	Permanent	Permanent. Permanent.	Permanent. Permanent. Permanent.	3 years after expira- tion of coverage.	Optional. 2 years after expira-	2 years. Optional.	Optional Optional 3 years.	3 years. 3 years. 3 years.
Description of accounts, etc. Period to		the books of directors, executive committee's, stockholders, and other meetings and cipher books, file copies of a stock records. 9) Capital stock ledger. 10 Capital stock ledger. 11 Capital stock detrificates, records of or stubs of the information shown on the stubs described in this item 3 (b) is recorded manner records, the stubs are required to be retained only for a period of three	transfor register. Promade and bils of sale or of transfor of capital stock. 2 al stock subscription notices and requests for allotment. 1 ded capital stock certificates. (See item 6.)	bond records: (a) Registered band ledger. (b) Records or stutes of bands (c) Records or stutes of bands (d) Records as stutes of bands (e) Records or stutes of bands (f) Records of the student records the chiefe or sample of the student records the chiefe or sample of the student records the chiefe or sample of the s	1 1 1	4 4 4 4	(b) Builds east and thehlations of votes. (f) Judges, reports of election results of cycles. Retired securities: Stock certificates, bonds, notes, interest coupons, receiver's certificates bonds, notes, and temporary certificates taken up and canceled.	Ledgers: (a) General and suxiliary ledgers and indexes thereto, except as provided for else— Where in these regulations. (b) Balance sheets of general ledgers. Permane (c) Trist balance sheets of general ledgers.					(b) Contracts, leases, and agreements, except those provided for in item 184.——Permanen Tax records: Copies of schedules and returns to laxing authorities for tax purposes: Permanen records of appeals, tax bills, and statements. Copies of applications to and authorities from regulating bodies for the issuance of Permanen Stocks, bonds, and other scentific from regulating bodies for the issuance of Permanen	-	1 1	setors' reports of condition of property. The of property in transit covered by insurance, such as cotton at comsesses, cotton in transit, etc. Traphic reports of merchandise at terminals, in warehouses, compresses,	ie i	(c) Sustements from depositaries of funds received, disbursed, and transferred 3 years. (d) Authorities for and statements of transfer of funds from one depositary to an- 3 years. other. (d) Daily or other periodical statements of the receipt and disbursement of funds. 3 years. (See note under item 10.)
	GENERAL AND FINANCIAL		years. (a) Stock transfer register. (b) Memorands and bils of sale or of transfer of capital stock. (c) Capital stock subscription notices and requests for allotment. (c) Canceled capital stock certificates. (See frem 6.)	4 41 100	1 1 1	4 4 4 4	4 4 5	A A.A		book and are detailed only on loose sheets, such loose sheets constitute an auxiliary cash book when no other permanent record of the items thereon is made. Journal entries: General journal entries and supporting papers except as provided for elsewhere in the regulations in this subpart.	Recovits of auxiliary (outside) operations: Records summarising the results of auxiliary (outside) or holding company operations for entry in general books. NOTE: Ledgers, journals, abstracts, reports, vouchers, tiekets, etc., shall be retained for the same periods as are provided for similar documents elsewhere in these regulations.			-	4 4	Inspectors' reports of condition of property. Reports of property in transit, overed by insurance, such as cotton at compreses, cotton in transit, etc. Telegraphic reports of merchandise at terminals, in warehouses, compresses,	ie i	1 1 1

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Period to be re-	O section will	o years,	2 years after expira- tion or cancella- tion.	Optional after ex- piration or can- cellation.	2 years. Optional.	Optional. 2 years after can- cellation. 3 years.	3 years after cancellation of tariff, etc.		2 years. Optional.	2 years. 2 years. 2 years.	Optional. 2 years. Optional.	2 years. 2 years.	2 years, Onthonal	Optional.						Optional.		
Description of accounts, etc.	CLAIMS—continued	-	Tariffs and other rate authorities: (a) Tariffs, classifications, division sheets, and circulars in which the carriers are interested relative to the transportation of persons or property, in the general files of the traffic or other department in which the complete official file is	maintained. (b) Tariffs, classifications, division sheets, and circulars in other departments and at agencies, if copies of the same issues of such tariffs, etc., are preserved in the general files referred to in (a) above.	 (c) Applications for and file copies of special-rate orders authorizing the sale of passenger fare tickeds at reduced rates. (d) Requests and receipts from agents and others for tariffs, classifications, division sheets, and directors. 	(e) Written requests on earlier from persons and companies for quotations of rakes and copies of earlier's quiestions. (f) Copies of concurrances filed with the Interstate Commerce Commission and with other regulating bodies. (g) Authorities for the transportation of property, free or at reduced rates and sup-	(h) Correspondence and working papers in connection with the making of rates and compilation of tariffs, chashfeutions, division sheets, and circulars affecting the transportation of persons or property.			12.0	(d) Bulletins of theets bet of stolen (e) Records and elles pertaining to the extension of time limits of tickets, granted (e) Records and files pertaining to the extension of time limits of tickets, not	Baggage checks records: (a) Copies of orders for the purchase of baggage checks (b) Record of baggage, parcel and storage checks received (distributed, and	destroyed). (c) Requisitions and receipts for begave checks, excess baggage checks, and storage checks inmished agents, baggagemen, and transfer companies.	(d) Bulletins of beggage cheeks just of stolen Tikers and cheeks the stolen showing their (a) Used and canceled titlefels, cheeks, etc., the reports of which, showing their (a) Used and canceled titlefels, cheeks, etc., the reports of which, showing their	171) as follows: One-way and round-trip passenger fare tickets upon which the name of the user does not appear. For a few flowers of appear.	First tickets. Perty tickets. Berth checks. Sost checks. Rat checks.	Parlor ear tilekets. Sleeping on tikets. Bleeping on tikets.	Permits to ride on freight trams. Exchange train tickets. Commutation and trip tickets. Cleave overline test	Milk fiddels. Train cheeks. Mad leheks.	Water tickets. Validation pasters when attached to any of the above tickets. (b) Used and canceled tickets, etc., the reports of which, showing their sale or	ISSUE, have been aunited (accept as province for the closes an accusation) as follows— one-way and round-trip pessenger fare tickets upon which the name of the	Propose 3 snow Propose orders. Validation orders when attached to any of the above tickets. Stop-over pasters.
Item		12	80					2 2	56	76		96		88								
Period to be re-		1 year.	2 years.	4 years,	15 years.	2 years, 2 years, 1 year, Optional,	15 years.	Optional. Optional. Permanent.	Permanent.	2 years.	10 years, if full de-	scribed into re- cords covered by items (s) to (c)	3 years, if trans- ferred to perms- nent records.	Permanent.	Optional.	6 years.	6 years.	3 years after settle- ment or rejection.	Optional.	2 years.	2 years.	3 years.
Description of accounts, etc.	EXPENDITURES-continued	Assignments, attachments, and garnisbments: (a) Record of assignment, attachment, attachments arrishments notices of smits.		100000000000000000000000000000000000000	1 1		reto	10000	1000	(c) Contrages and other agreements remining to the construction, acquisitions, or sale of road and equipment property. (d) Records, reports, statements, and memorands showing the details of all debits and redligits on account of the cost of road and equipment property, such as labor and makerial distribution sheets, copies of individuals and companies.		and credits on account to the cost of road and equipment projectly, such as labor and material distribution sheets, copies of individuals and companies bills, time books, time tickets, work orders, job tickets, cheek rolls, material requisitions, and similar records.		1000	preparation of estimates, if summarized ands, when the expenditures were not			(a) All pagers substantiating overcharge, loss and damage, personal injury, fire, and other claims, whether such papers are filled separately or attached to yourders. (See Hem 550.).		to to	Records of stock killed or injured: Reports and statements by trainmen, trackmen, and other employees regarding stock killed or injured, when not necessary to supnort claims or youthers.	H H
nem	1	22	28	75	18		58	ta		8		1000	774	98	Harry !	2		-		64	23	22 22

Item	m Description of accounts, etc.	Period to be re-	Item	Description of accounts, etc.	Period to be re-
	TRAFFIC-continued			PURCHASES AND STORES—continued	
S	Tickets used—Continued. (c) Used miniespe books and scrip books on which the name of user is shown and continued to the continue of which showing their sole or issue	6 months.	1118	Company fuel—Continued. (d) Reports from coaling stations of fuel received, issued, on hand, and transferred formed to other satisms if transcribed to records covered by (c) above.	lyear.
	have been suddied; coupons, suddors gubs, contract portion signed by purchaser and other detachments from such books on which transportation has been confined and state detachments from such books on which transportation has been confined as the confined at the confined of the confined			(e) Daily reports of fuel on hand (f) Reports and records showing the defauled distribution of expenditures for fuel observed has no accounts. Includion reality station belance sheets.	Optional. 5 years.
	to the control of the	Optional.		(g) Reports of allow handling company fuel. (h) Requisitions and receipts from enginemen and others for fuel supplied	1 year, Optional.
	and the coupons, auditors' stubs and other detachments from such books on which transportation has been performed.		00.4		3 wears.
	(u) Osed baggage checks, pareel room checks, storage checks, excess baggage checks (i) Used baggage echecks, pareel room checks, condition c. o. d.), excess baggage book coupons, and baggage scrip, the re-	Optional.	1888	squipment	Optional. Optional. 6 years.
	(f) Unused or unisque theta; if record is kept in accordance with item 94 (b). (g) Unused baggage checks, if record is kept in accordance with item 95 (b).	Optional.	134		6 years.
	(h) Redeemed tickets, redeemed mileage and scrip book covers, and redeemed eredentials. (i) Redeemed treations of conditions and during tickets.	6 months.		(a) Defect and repair eards, stubs or records of (b) Defect and repair eards stached to bulls supporting vouchers. (See item 55g). (c) Lists and stacheneris transmitting defect and rebair eards for preparation of	Optional. Optional.
	(j) Redeemed and canceled orders issued by conductors for refund of extra fares assessed on extra-fare trains.	6 months.		bills. Impropertepair cards. Ranate of case formered of we wasted under defect cards.	Optional.
of 12/8	Records, circulars, and settlements, regarding conventions, excursions, and similar matters.	2 years,	136		3 years.
1110		6 years		Records and reports of locamotives and cars inspected. Flythour inspection reports. Shark-arrester and ash-ban inspection reflorts	2 years. 3 years. 3 years.
	(b) Telegraphic reports of supplies on hand other than fuel (c) Balance sheets of material and supplies received, issued, and on hand at divi-	Optional 2 years.	137	e items 210e to 210h.)	1 year.
П	Purchase and sales: Purchase and sales: (a) Copies of orders for the purchase of materials and supplies	2 years.	139	of service and mileage of individual locomotives. and reports of ears lightweighed and stenciled	2 years.
		5 years.	933		2 years, 2 years,
	(d) Bids and offers for the sale or purchase of material and supplies.	Optional.	123	Records and reports of occupation and according to the Records of engines ordered and dispatched.	3 years.
	(c) Contracts for the purchase or sale of materials and supplies (d) Advices or requisitions from storekeepers and others for the purchase of materials and enrolled enrolled.	4 years. 2 years.	145		Operona.
	teepers.	Optional. Optional.	150	Record of work performed: (a) Records of rail and cross-ties Isid, ballast applied, and work performed on road-	3 years.
	ss or bills	4 years.		way and track, by quantities, locations, or other was: (b) Reports and minor recedes or sail and cross-ties laid, ballest applied, and work performed on rocalway and track, if transcribed into recerts overeed by (a)	1 year.
	plies	2 years. 2 years. Desmonant	18.5	7.00	2 years.
=	of actiust-	2 vears.	152		Optional.
	(b) Shock early, inventory cards, and other detail records pertaining to the taking of inventories of inventories of the process of the second	1 year.		(a) Reports of condition of rosdway and structures. (b) Reports of inspection of bridges. (c) Renarts of broken rails	2 years. 2 years. 2 years.
440		1 year.	25.55	Reports of derailments Reports of buildings, bridges, and other structures painted	2 years.
4	(a) Records of reports of materials and supplies received by carriers (b) Records of inspecting and testing materials and supplies	5 years.	157	Recurs of signs instanging of grantons. Reports and records of inspection of scales.	2 years.
	(c) Records of materials and supplies released and returned to stock (d) Orders on other carriers for, and records of receipt of, material for repairs of	2 years.	160	-	2 voore
111		3 years.		(a) Accoute on movement of ears, future and notice interchanged, when data are transferred to receive provided for in (a) shove. (b) I under the forecast is provided for in (a) above.	Optional.
	(w) records and rivors of inacross and suppress transferred from one department of division to another. (c) Requisitions and receipts for materials and supplies issued.	2 years.	;	equipment if the	Optional.
115	_	Permanent.	161	Card distribution: (a) Records of car allotment and distribution. (b) Records of care allotment and distribution.	3 years,
136	_	1 year. 1 year. 1 year.	400	(c) Theorem by teas otherway and issued, and issued. (d) Telegraphic and other reports of ears on hand and required. (d) Reports of unfilled ear orders.	1 year, 1 year,
		2 years, 2 years,	707		2 years.
118		5 years. 2 years.	707		3 years. 3 years. 6 Months.
	(c) Records and untranscribed reports of fuel received and issued at coaling stations, except records covered by item (h) below.	2 years.		(d) Train orders—trainmen's copies. (e) Olearance cards or orders—operators' copies.	Optional, 6 Months

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1 4	1																	after	
Period to be re-		2 years.	3 years, 3 years, 3 years, 3 years,	2 years, 2 years, 2 years,	2 years, 2 years, 1 year,	2 years.	I year.	2 years. 2 years. 2 years.	2 years. Optional.	2 years. 2 years. 2 years.	2 years. 4 years. 2 years. 2 years.	3 years.	3 years.	2 years. 2 years.	3 years.	2 years, 2 years, 2 years, 2 years,	o Jestion	2 years. 2 years. 6 months sudit. Optional.	
Description of accounts, etc.	TRANSPORTATION—continued	Property protection: Reports and records in connection with the prevention of loss and damage to freight chipments. A GENCIES, YARDS, AND ACCOUNTING BUREAUS	Freight records: (a) Agents' records or registers of waybills made and received. (b) Agents' records of adjustments on freight waybills. (c) Transfer records of freight received from and delivered to connecting carriers. (d) Decords of and receives for delivery of freight to consigness and connecting.	carriers. Orders from consignees for delivery of freight. Freight-depekers' records. Orders for the reconsignment of freight	Freight reports: (a) Reports and abstracts of commercial waybills made and received (b) Reports and abstracts of company freight waybills made and received (c) Passing reports at Junction points of through waybills for	from connecting searchers. (d) Passing reports of way bills covering freight moving over divisions, bridges, etc. (e) Reports of shipments received or forwarded, not covered by way bills, such as	(b) Waybills for milk and cream and for returned empty carriers on passedger trains. (g) Duplicates of above records. (See item 25ia.) Freight waybills:	(a) Local way bills (b) Interline way bills received from other carriers. (c) Copies of interline way bills made to other carriers. (d) Copies of interline way bills moving between points on other lines to which the	company is intermediste. (c) Company freight waybills. (d) Memorands or slips on which are listed waybills sun to sudit office, if such memorands or slips are not used in anditing the accounts. (g) Duplicates of above records. (See item 261a.)	1 Programment of the Control of the	hading. (b) Shippers' order-notify bills of lading taken up and canceled. (c) Contraris covering risks of carriers in transportation and storage. (d) Shipping contracts for transportation of caretakers of freight. (e) Relaces for deliveries at nonegating stations.	Records of freight stopped in transit. Records and reports showing the particulars in connection with shipments stopped, such as grain to be cleared or milled, lumber to be dressed, posts, or poles to be sorted, livestock to be fed, cotton to be compressed, etc.; and those showing particulars in regard to reshipment to final destination.	(For duplicates see item 251a.) Weighing of freight: Records, reports, orders, and tickets pertaining to the weighing of carload and less-than-carload shipments. (For duplicates see item 251a.) Freight loading records.	(a) Records of loading of cars, showing by whom loaded and when, by whom inspected and when. (b) Records and reports of carload and less-than-carload shipments transferred (c) Records of cars load and ventilated	(d) Records of unloading, leeding, and watering in egoors. (e) Duplicates of above records. (See item 251a.). (f) Records of the seeding of cars, showing by whom unloaded and when and by whom inspected.		Tieket r	(b) Inventories of thekets a generic. (c) Reports of adjustments and corrections on ticket reports (d) Stubs of tickets, etc. (d) Stubs of tickets, etc.	(f) Duplicates of above records. (See item 251a.)
Item		61	180		181		180			2 3		185	186			188	180		
pe re-	I									M SIDE			na i				7.00	THE S	, p. q.
Period to be re-	tsmed	Optional. Months.	years.	years. 2 years. 2 years. 2 years.	2 years. 1 year.	3 years.	l year. 1 year. 1 year.	3 years.	3 years. 1 year. 1 year. 1 year.	1 year, 1 year, 3 years, 1 year, 2 years, Outriens	1 year. 2 years. Optional. 2 years.	1 year. 1 year. Optional.	Optional. 2 years. 2 years.	2 years.	2 years.	2 years. 1 year. 4 years. 3 years.	3 years.	2 years. 1 year. Optional.	2 years after use of punch is discon- tinued.
	Description of accounts, etc. famed	Dispatchers' records—Continued. (i) Clearance cards or orders—trainmen's copies. (ii) Operators block reports.	11 11	20 00 00 00	C5 HH	60.00		(b) Records of pass stock roceived, distributed, and destroyed. (c) Requests for passes, copies or stubs of requests for passes, and receipts for 3 years. (d) Records of passes issued.	(e) Records of plasses received from titler carriers (f) Stube of trip plasses received in 1721) (g) Pass destribedation silps. (6) Records of annual or term passes befored (h) Records of annual or term passes collected (f) Trip and telegraphic passes (f) Trip and telegra	(k) Unexpired, surrendered, or partially used annual or term passes. 1 year, (l) York, nursed, and unisate passes. 1 year. 1 year. (m) Records of free passenger fare thekes issued. (m) Records of free passenger fare thekes issued. (n) Conductors reports of passes collected or honored. (See item 172a.) 1 years. (o) Reports of trip passes issued. (p) Bulletins of lost and outlawed passes, file copies of the passes is the passes is the copies of the	(q) Bulletius of pass and ordinary passes, other than nevopres or the passes of conductors' passenger and freight and dining tar reports: (a) Reports of cash collections, if transcribed to records covered by item 35 (b) Reports of cash collections, if not transcribed to records covered by item 35 (c) Stubs of eash receiptes or conductors' post-ions of duplex tickets. (d) Reports of passengers curried, or of tickets, mileage compons, etc., collected or 2 years.	honored Reports of passes honored or collected. (See item 171n.) Pass identification slips. (See Item 171g.) Skeeping car identification checks and enveloped		• 61		01-40		(a) Records and reports of mall weighing, mall failures, and detentions, fines, deductions, and irrequirities and irrequirities. (b) Records and reports of mall ponches received and distributed. (c) Records and reports of mall ponches received and distributed. 1 year. Optional.	-
		1.1	(b) Daily reports of trains moved Records and reports pertaining to embargoes, congested traffic, and similar matters. Employees time-tables: (s) Official file of employees' time-tables. (b) Receipts for time-tables	(a) Record of train accidents (b) Reports of train accidents by conductors, enginemen, or others (c) Reports of trains accidents by accidents (c) Reports of train-rules examinations	e mileage: cords of movement of locomotives ports of locomotive mileage, from division offices, when transcribed to 1 coords covered by (a) above.	Records of hours of service: (a) Records of hours of service of train and station employees. (See item 210d.) (b) Train-delay reports. (See item 210d.)	On drews: Thain register or roster Records of crews called, including call-boy records. In the tickets: Conies of crews on printing houses for pass stock.	(b) Records of pass stock received, distributed, and destroyed. (c) Requests for passes, copies or stubs of requests for passes, and receipts for 3 years. (d) Records of passes issued.	(i) Records of passes received from other courses (ii) Stude of trip passes (iii) Stude of trip passes (iii) Stude of trip passes (iii) Records of annual or term passes befored (iii) Trip and telegraphic passes collected (iii) Trip and telegraphic passes collected (iii) Trip trip trip trip trip trip trip trip t	(k) Unexpired, surrendered, or partially used annual or term passes. 1 year, (l) York, mussel, and unisated passes. 1 year. 1 year. (m) Records of free passenger for chickets issued. (m) Records of free passenger for chickets issued. (n) Conductors reports of passes collected or honored. (See item 172a.) 1 years. (o) Reports of trip passes issued. 2 years. (p) Bulletins of Jost and outlawed passes, file copies of 1.	(q) Building of posts and drieffly and diring dar roughts overed by item 35. (a) Reports of cash collections, if transcribed to records covered by item 35. (b) Reports of cash collections, if not transcribed to records covered by item 35. (c) Stubs of cash item receipts or conditions of duplicat tickets. (d) Reports of passengers curried, or of tickets, mileage coupons, etc., collected or 2 years.	honored Reports of passes honored or collected. (See item 171n.) Pass identification slips. (See Item 171g.) Skeeping car identification checks and enveloped		• 61		01-40		(a) Records and reports of mail weighing, mail failures, and detentions, fines, defentions, and irregularities. (b) Records and reports of mail pouches received and distributed. Detective and policie service. Reports and records in connection with policing the commany's property, detective service, investigations of robberies and attempts to	

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Period to be re-		Permanent.	3 years. 3 years. 1 year.	5 years,	1 year after boller is retired. 2 years.	2 years. 5 years.		Permanent, 3 years,	3 years.	3 years.	3 years.	3 years.	3 Vesis.	Optional.	Optional. 1 year.		6 years. 6 years. 6 years.	6 years. 6 years. 3 years.	3 years.	Optional.	2 years. 2 years.	2 years. 2 years.	2 years.	1
Description of accounts, etc.	STATISTICS	Reports to Interstate Commerce Commission and other regulating bodies: (a) Annual financial, operating, and statistical reports, file copies of, and supporting teapers: (b) Monthly reports of operating revenues and expenses, file copies of, and sup-	porting papers. (e) Monthly secdent reports, file copies of, and supporting papers. (d) Monthly reports of hours of service, file copies of, and supporting papers. (e) Monthly locamotive boiler inspection and repair reports, file copies of, and sup-	porting papers. (f) Annual locemotive boiler inspection and repair reports, file copies of, and supporting papers.	(g) Special orders from Interstate Commerce Commission for teaplits to loomn—tive bottlers, and the copies of special repair reports covering such repairs. (h) Specialistic earlies for locomotive bottlers, file copies of, such repairs. Prints and alteration reports. (i) Project cor location enough file copies of, and supporting blue.	(i) Monthly or periodical reports regarding employees and safefree, file copies of any supporting paper. (ii) Monthly or periodical reports regarding employees and safefree, file copies of and supporting paper. (ii) Reports to regarding bodies regarding expenditures of proceeds from sale of (ii) Reports to regarding bodies regarding expenditures of proceeds from sale of the company of the com	authorized securities, file copies of, and supporting papers. Norg: The supporting papers referred to in item 210 are those requisite to support the reports named, and not elsewhere provided for in these regulations. If figures for such reports named, and not elsewhere provided for in these regulations. If figures for such reports named are assessmithed on memorandum sheets, such sheets consistute a part of	the supporting papers and shall be retained accordingly. Annual reports or statements to stockholders, file opies of Monthly or other periodical statements of general balance sheet, income, and profit.	and loss accounts, comparative or otherwise. Monthly or other periodical statements of reference and expenses, comparative or otherwise, and analyses of increases and decreases handled by the formulae seen	contribute of the periodical statements of contrage natures, by ours, warmnes, com- modities, divisions, or otherwise. Monthly or other periodical statements of ear-miles, train-miles, and movements of	Irectift and passenger cars. Monthly or other periodical statements of performances of locomotives. Monthly or other periodical statements of employees by duties, days, compensation,	or otherwise. Monthly or other periodical statements of passenger traffic, by number of passengers, passenger-miles, divisions, or otherwise.	Absolution is statistical reports, statements, and summarize (not otherwise provided for herein) used for administrative purposes only and not entering the accounts of the company.	212 to 219. Estimated revenues and expenses: Monthly or periodical statments of estimated or approximate revenues and expenses; when not used as bases for crediting or charging	the accounts. Agents daily or weekly reports of tonnage, revenue, or receipts, used only for prepar- ing statements of estimated revenues or the movement of traffic. Tabulating cards: Tabulating early used in the compilation of statistics and other data, when the example one prepared to other seconds consent by the seconds for	WHEN THE POSITION ARE UTABACTIONS, OF OTHER PROPERTY OF THE POSITION IN THE PAIR. [247] JOHN ASSOCIATIONS, BURRAIDS, AND STATIAR AGRACUES.	Rules, regulations, and instructions to carriers, agents, and others. Statements of expenses of agencies and others.	SUSTINIENT STATEMENT OF THE STATEMENT OF	and other information, if summarized in records sovered by items 23.1 to 234. Working hapers and records tabulating data for records covered by items 233 and 234	 (a) Copies of waybills received from carriers or agents of carriers, if such copies contain no information other than that appearing on the original waybills. (b) Abstracts or lists accompanying copies of waybills covered by (a) above, when 	Demurrage and storage: (a) Records summarring the accruals of demurrage and storage charges (b) Records summarring the accruals of demurrage and storage, and file copies (c) Reports and estatements to carriers of demurrage and storage, and file copies	thereof, (e) Reports from agents of carriers of accruals of demurrage and storage charges, of cars received, placed, and released, of constructive placement, etc. (d) "Average" demurrage agreements	(e) Records of cars handled under "average" greenents. (i) Records and supporting pupper sovering the cancellation or refund of demuring range and storage districts per sovering the cancellation or refund of demuring the bundlesses of shows severed. (See term 941a)	(g) in uping the bit above the contains, (see them with)
Item		210		7				211	213	215	216 217	218	210	122	22		888	1888	236		238			Ä
Period to be re-		2 years. 2 years.	2 years. 2 years. 2 years.	2 years. Optional.	Optional, Optional, 2 years.		2 years. 2 years.	2 years.	2 years.	2 years.	2 years. 2 years.	3 years.	6 years.	3 years.	2 years after settle- ment,	ment.	2 years. 2 years. 2 years.	I year.	2 years.	Optional.	2 years. 1 year. 2 years.	l year. Optional.	2 years.	o years.
Description of accounts, etc.	AGENCIES, YARDS, AND ACCOUNTING BUREAUS—continued	ports: Reports of sale of tickets, sale of mileage books, collection for excess Re, etc. (For duplicates, see Item 251a.) Parlor, and chair ear records: Sleeping, parlor, and chair ear records: Sleeping, parlor, and chair ear records: Sleeping, parlor, and chair ear man and a condense in connection with reservations.		Releases for baggage in had order. Receipts from agents, baggagemasters, and others for valuable letters and neckages.		and other charges (with record or return or disposition); sae of uncanned fregit, sale of water; king, weighing, reconsignment, backing, and unloading charges; garnisher effect etc. (For duplicates see item 25ia.)	1 1	(a) Records of case arrived, placed, and released and of accruals of demurrage. (b) Reports to sudifing department and to demurrage and storage bureaus of shortens and collections of formurage and storage bureaus of		ting	y con-	bove records. (See item 251s.) rizing the debits and credits on account of revenues, remit-		ng papers, when figures are not reets.		-	eceived, forwarded, and on hand recaived from and delivered to connecting carriers. eceived, forwarded, and on hand and wanted, including in-	(d) Telegraphic report of cars interchanged at functions, when data are trans- cribed into other records, interchanged at functions, when data are trans- (e) Telegraphic reports of movement of fast freight, when data are transcribed		reports of loaded cars passing yards. ates of shove records. (See item 251a.) ls, and instructions regarding the makeup of trains.	d as revenue billing pments are covered by other revenue waybills erue shipments	ed for	-	Court against and yard records. An records at agencies and yards not otherwise pro-
Item	110	191	192	917	163	191	ž ž	2	38		-	198	88	77.6	-201	202		-	415	203	*	202	506	_

Period to be re-	1 year. Optional. Syears after expiration or cancellation, Optional. 2 years. 1 year. 1 year. 1 year. 1 year.	Permanent.	For the poetion pre- striked for the records to which the correspond- ence relates. Optional. Optional. Optional. S years for the	coples in agents' files. 3 years for original. 9 years for office copy. oropies. 3 years for office copies. 3 years for office copies. Ordicoral for sgents' Ordicoral for sgents' Ordicoral for sgents'	copy. a sents copy. by sears for agents copy. Optional at point of delivery. 3 years for duplicate attached to	agents' delivery receipts. 3 years for original. 3 years for office copy, or agents' copy, years for agents' originals. 3 years for copy for sears for copy for Station file. Optional for other	copies. 3 years for copy for station file. Optional for other copies.
Description of accounts, etc.	Records of employees: (a) Applications for employment, reports and certificates of examinations, survice records, efficiency tests, employees rosters, and other similar records pertaining to employees rosters, and other similar records pertaining to employment and replies thereto not resulting in employment of applicant. (b) Explications for employment and replies thereto not resulting in employment of applicants and eticulars of instructions to agents and others. (c) Boots and circulars of instructions to agents and others, in the gameral file of the department and at spanies, if copies of the same issues are preserved in the general file referred to in (a) above. Land, influstrial, and immigration department records: (a) Reports, records, and correspondence containing inquiries from and replies to prospective homesekers and industries, equally localities and confessions. (b) Agents periodical itentuary roports. (c) Agents periodical their exproyers. (d) Reints periodical their exproyers. (d) Reints protost form agents, industries, and estimate their seconds periodical reports for industrial, commercial, and agricultural directories, and similar publications. Provident departments records: Records of provident departments, such as employees relies, hospitals, insurance and savings departments, other than records periodical end or work reports of provident departments, such as employees relies, hospitals, insurance and savings departments, such as employees relies, hospitals, insurance and savings departments, such as employees relies, hospitals, insurance and savings departments, such as employees relies, hospitals, insurance and savings departments, such as employees relies, hospitals, insurance and savings departments, such as employees relies, hospitals, insurance and savings departments, such as employees relies, hospitals, insurance and savings departments, such as employees.	Data relating to the destruction of records: Written authorities and bertificates of destruction of seconds, and memoranda required by public authorities. (See § 10.6.4. 10.5d., and 110.6.)	 (a) Correspondence and records thereof relating to subjects listed in items 1 to 256, inclusive. (b) Operators' copies of telegrams, including relay copies, if the original or other copies of such messages are retained, as provided for in (a) above. (c) Stengeraphers' notebooks and phonograph and other mechanisal device perorist; if transcripts thereof are retained, as provided for in (a) above. (d) Extra copies of letters, etc., used for tracing or following up correspondence, or for other purposes, if original or other copies are retained as provided for in (s) above. Store door pier, inp and defivery records. (c) A manifest desting shipments delivered to freight station by consignor or 	consignor's authorized drayman on which an allowance is authorized in feet of the configuration of placing services. (Statement of drayage allowance due shipper or consignee.) (b) Station record of all c. o. d. shipments received and all c. o. d. "Interline" shipments billed. (c) A manifest of shipments to be delivered by drayman. (Record of delivery service shipments.)	(d) A manifest of shipments to be picked up by drayman. (Record of pick-up shipments.) (e) A c. o. d. pouch to inclose shipper's involce and fasten to original waybill	(e) Monthly summary of drayage charges paid (h) Summary of manifest forms (c) and (d) pick-up and delivery service shipments (i) Monthly report by agents covering bandling of I. c. I. freight at pick-up and delivery stations (no minimum).	(f) Monthly report by agents covering handling of L. c. l. freight at pick-up and delivery stations (with minimum).
Item	# # # X	98 58					
Period to be re-	years. years. years. years. years. years. years.	1 year. 3 years.	8 years. 8 years. 1 year. 1 years. 6 years. 6 years. 7 years. 7 years. 8 years. 7 years. 7 years. 8 years. 7 years. 7 years. 7 years. 7 years.	1 year. 1 year. 1 year. 1 year. 2 year. 3 years. 3 years. 6 years. 6 years.	3 years. 3 years. 3 years.	Permanent, 3 years. May be destroyed after expiration of periods as- sirrand to orice.	inals. (See § 110 11a.) May be destroyed at option of carrier. (See § 110.11b.)
Description of accounts, etc.	Weighing and inspection of freight: (a) Weighing and inspection of freight: (b) Records and reports covering the settlement with shippers and carriers for subject to inspection of books, etc. (c) Records and reports covering the settlement with shippers and carriers for undercharges in weight tickers, weight ectificates, and croparts of shipments moving under weight agreements? (d) Weighmasters' oaths, weight tickers, weight ectificates, and reports of weight and similar matters. (e) Reports to carriers of shipments weighed or inspected, of corrections made on way-hils, and similar matters. (f) Duplicates of above records. (See item 25ta.) (g) Validating of tickers. Records and reports perbalaning to the validating of passengers and reports perbalaning to settlements with carriers and passengers. (g) Records and reports perbalaning to settlements with carriers and passengers regarding mileage books, scrip books, reduced-rate cardentials, and similar tickers. Records and reports pertaining to settlements. (g) Records and reports pertaining to settlements with carriers and passengers regarding mileage books, scrip books, reduced-rate cardentials, and similar tickers. Applications for elegy permits, and reports permits, shedules, site opies of, cleary permits, shedules, settles, settle	-100	Recents of against the season and when the state of a state of the season and when the season are stated of discovery of broken rail, wide gage, etc., affecting arresters Recent of distres of tests of gas and wacuum type lightning arresters Rests of stand in chemic controllers. Pests of stand in chemic controllers. Pests of touling derentis. Pests of touling chemic resistance. Frests of translation resistance. Frests of mechanical necking. Frests of mechanical necking. Frests of translation locking. Frests of indication locking. Frests of arrial locking. Series of our indication locking. Series of arrial locking.	001. 10 or relays. 11	(a) After trip tests ATC (ab) Departure test ATC (ad) Departure test ACS (ad) Departure test ACS (ad) Mercrip test ACS (ad) Mercrip test ACS	Egy Engineering records, profiles, plans, specifications, estimates of work, records of engineering. (a) Mars, profiles, plans, specifications, estimates of work, records of engineering studies, and similar records pertaining to extension, addition, and betterment projects which have been partitions to extension, addition, and betterment projects which have been abandoned. Duplicate accounts, records, and memoranda: (a) Copies of accounts, records, and memoranda covered by items 181-183, 185- 180, 192-195, 197, 200, 202, 238-241, when held by agents.	(b) Duplicates of other accounts, records and memoranda listed in these regula- May be destroy of tions when they are not provided for otherwise and when they contain no information other than that shown on the originals.

Company, held at its office in the regulations to govern the destruction of records of steam	railroads, issued by the interstate Commerce Commission, effective on June 1, 1945, the Board designates (Titles of such persons, or names and titles) act in conjunction with the representatives of the trustees in the destruction of and description of documents to be destroyed) I hereby certify that the above is a true and correct copy.	(d) Form of written authority for the destruction of certain accounts, records, and memoranda. (See § 110.4 (b) (d) of the regulations in this subpart.) The Office of Company. Office of Company. Office of Company described below, in accordance with the provisions of § 110.4 (b) (d) of the regulations in this subpart. Form No. Description Period Regulations of \$110.4 (c) (d) of the regulations in this subpart. The Company described below. Form No. The Company described below, in accordance with the provisions of § 110.4 (c) (d) of the regulations in this subpart.) The Company of continuing effect for the destruction of accounts, records, and memoranda. (See § 110.4 (b) (2) of the regulations in this subpart.) The Company, Company, Company, authorize and direct (Name and differ occupation). (f) Form of certificate of destruction. (See § 110.5 (b) (1) of the regulations in this subpart.) (f) Form of certificate of destruction. (See § 110.5 (b) (1) of the regulations in this subpart.) (f) Form of certificate of destruction. (See § 110.5 (b) (1) of the regulations in this subpart.) Office of Company. Office of Company. (f) Form of certificate of destruction. (See § 110.5 (b) (1) of the regulations in this subpart.) Office of Company.	
Period to be re-	3 years for original. 3 years for copy for station file. Optional for other copies. 3 years for agents' 0 copy. 3 years after cancellation.	W. P. Bartel, Secretary. Secretary. ther forms may be used his subpart: to have general super- e \$ 110.3 (a) (1) of the compart. 19 shereby, designated as for o govern the destructe Commission, effective to hereby designated as ecords, and memoranda ions in this subpart to the Interstate Commerce Item No. in I. C. C. Regulations (Title) (Title) (Title) (Oname)	
Description of accounts, etc.	Store door pick-up and delivery records—Continued (k) Monthly report by agents covering handling of 1. c. 1. freight at nonpick-up and delivery stations. (f) Pick-up service call sheet. (m) Card form patrons' suthority for service desired (cartage authorities)	APPENDIX APPENDIX APPENDIX APPENDIX JOWING forms are suggested for the use of carriers, but any of they show the information required by the regulations in the destruction of accounts, records, and memoranda. (See miss in this subpart.) To this company, to have general supervision of the destruction or accondance with the regulations in this subpart occurate in accordance with the regulations in this subpart occurate in accordance with the regulations in this subpart occurate in accordance with the regulations in this subpart in this subpart accounts, records, and memoranda. (See miss this subpart in this subpart in this subpart in this subpart in this subpart.) To of resolution of Board of Directors designating an officer ruction of certain accounts, records, and memoranda. (See in this subpart in this subpart.) That the above is a true and correct copy. That (Title of officer or name and title) be, and he is st having supervision of the destruction of the accounts, received at its office in the destruction of which is permitted by the regulation of records of steam railroads, issued by the destruction of records of steam railroads, issued by the destruction of records of steam railroads, issued by the destruction of records of steam railroads, issued by the destruction of records of steam railroads, issued by the regulation of rescutive on June 1, 1945. The of resolution of Board of Directors naming a cremation of canceled bonds, interest coupons, etc. (See § 1106 of the contractors of the canceled bonds, interest coupons, etc. (See § 1106 of the canceled bonds, interest coupons, etc.)	The state of the s
Item	288	By the [SEAL] The fol provided (a) For vision of regulation Excerpt Company Resolve the destruction of regulation	

DEAR SIR: I hereby certify that I have this day destroyed the accounts, records, and memoranda listed below, in accordance with the provisions of § 110.9 of the regulations in this

Form No.	Description	Period	Regulations

Yours tru			
			(Name)
		(Titl	e or occupation)
(g) Form of the regulations	cumulative certificate of des in this subpart.)	struction. (See §§ 110.	5a and 110.5 (b) (2) of
	Th	Office of	Company,
	To go to the state		, 19
		1 1 1 1 1 1	
randa listed be subpart, pursua	hereby certify that I have low, in accordance with the int to your authority dated ints, records, or memoranda	provisions of § 110,9 of, 1 other than those nam	the regulations in this 9 I further certify ed have been destroyed
Form No.	Description Period	Item No. in I. C. C Regulations	Date of Destruction
*************	***************************************		
Yours tru	ıly.		
			(Name)
			e or occupation)
	[F. R. Doc. 45-7175; Filed	i, May 2, 1945; 11:29 a.	m.]

TITLE 30-MINERAL RESOURCES

Chapter VI-Solid Fuels Administration for War

[SFAW Reg. 26, Amdt. 5]

PART 602—GENERAL ORDERS AND DIRECTIVES

MAXIMUM AMOUNTS OF SOLID FUELS A RETAIL DEALER MAY DELIVER TO A DOMESTIC CONSUMER

In order to relax the 50 per cent restriction upon deliveries of scarcer solid fuel, § 602.657 (c) of SFAW Regulation No. 26, as amended, is amended to read as follows:

§ 602.657 Maximum amounts of solid fuel that a retail dealer may deliver to a domestic consumer.

(c) No retail dealer shall, during the period from April 1, 1945 to August 31, 1945, inclusive, deliver anthracite or coke made from bituminous coal, or both, to a domestic consumer in an amount which, when added to the amount of such solid fuel received by the consumer from all suppliers after April 1, 1945, exceeds 50 per cent of the consumer's normal annual requirements. This 50 per cent restriction does not apply to:

(1) Deliveries of No. 1 buckwheat anthracite when used in a stoker or maga-

zine feed equipment;

(2) Deliveries to a domestic consumer who consumes all of his anthracite or coke made from bituminous coal at a house or building during the period from May 1, 1945 to September 30, 1945, inclusive;

- (3) Deliveries to a domestic consumer 80 per cent of whose normal annual requirements is three tons or less than three tons; or
- (4) Deliveries of not more than three tons to a domestic consumer whose normal annual requirements are five

Note: The 50 per cent restriction imposed by paragraph (c) does not apply to deliveries of any scarcer solid fuel except anthra-cite or coke made from bituminous coal, or to deliveries of less scarce solid fuel. However, no retail dealer shall deliver before September 1, 1945 any solid fuel to a domestic consumer in an amount exceeding 50 per cent of the consumer's normal annual re-quirements, unless he has supplied or arranged to supply, or is reasonably certain he can supply, solid fuel by September 30, 1945 to domestic consumers in amounts that (to the nearest one-half ton) are not less than 30 per cent of such consumers' normal annual requirements, as required by § 602.655 (b) and § 602.656 (b) of this regulation.

This amendment shall become effective

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, as amended, 9 F.R. 84; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 2d day of May 1945.

DAN H. WHEELER. Acting Deputy Administrator.

[F. R. Doc. 45-7283; Filed, May 3, 1945; 11:46 a. m.]

TITLE 50-WILDLIFE

Chapter I-Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

DEER FLAT NATIONAL WILDLIFE REFUGE, IDAHO

Under authority of § 12.3 of the general regulations for the administration of National Wildlife Refuges (5 F.R. 5284), as amended, the following is ordered:

In § 22.220 paragraphs (a) (1) and (c) (1) are amended to read as follows:

§ 22.220 Deer Flat National Wildlife Refuge, Idaho—(a) Fishing. * * *
(1) Area closed to fishing. All lands

and waters within the boundary of the refuge in Township 2 North, Range 2 West of the Boise Meridian, are closed to fishing, except during the period from January 1 to June 30 of each year, as follows: In New York Canal, fishing may be done from dike or bank only; in remaining waters in Range 2, fishing may be done from rowboat only.

(c) Public use. * * *
(1) Motorboats. Motorboats properly equipped with mufflers to eliminate excessive noises may be operated without permit from sunrise to two hours after sunset of each day during the period April 16 to September 30, inclusive, of each year, except that boats and motorboats are not permitted to operate within the closed area on Township 2, Range 2 West of the Boise Meridian nor within 100 yards of any water control structure, nor in areas designated by the officer in charge by posting where wave action will wash or otherwise damage the slopes of the reservoir. The refuge officer in charge may issue free-use permits authorizing motorboat racing, wherein motorboats may operate without mufflers in such areas and at such times during said period as he may designate: Provided, Such motorboat racing is officially sponsored by a recognized civic organization or motorboat club.

Dated: April 24, 1945.

ALBERT M. DAY. Acting Director.

[F. R. Doc. 45-7221; Filed, May 2, 1945; 2:42 p. m.]

PART 24-WEST CENTRAL REGION NATIONAL WILDLIFE REFUGES

FISHING IN SQUAW CREEK NATIONAL WILD-LIFE REFUGE, MO.

Under authority of § 12.3 of the general regulations for the administration of National Wildlife Refuges, (5 F.R. 5284), as amended, the following is hereby ordered:

Section 24.860 (8 F.R. 6550) Squaw Creek National Wildlife Refuge, Missouri; fishing, of May 6, 1943 is amended by deleting from paragraph (a) the words and figures "the waters in secs. 35 and 36 adjacent to the main dike" and inserting in lieu thereof the following: "all waters in the South Pool lying south of the South one-sixteenth line of Sections 25 and 26,".

Said § 24.860 is hereby further amended by deleting paragraph (e) and inserting in lieu thereof the following:

(e) Use of boats. The use of boats, except inboard and outboard motorboats, is permitted in those waters of the South Pool as are designated for such uses by the Director and by suitable posting by the officer in charge.

Dated: April 24, 1945.

ALBERT M. DAY, Acting Director.

[F. R. Doc. 45-7223; Filed, May 2, 1945; 2:42 p. m.]

PART 27—SOUTHEASTERN REGION NATIONAL WILDLIFE REFUGES

FISHING IN PIEDMONT NATIONAL WILDLIFE REFUGE, GA.

Under authority of § 12.3 of the general regulations for the administration of National Wildlife Refuges, (5 F.R. 5284), as amended, the following is ordered:

§ 27.732 Piedmont National Wildlife Refuge, Georgia; fishing. Non-commercial fishing in accordance with the State laws of Georgia is permitted during the daylight hours in the period beginning 10 days after the closing date and ending 10 days prior to the opening date of the migratory waterfowl hunting season, in the waters of the artificial pond on the Piedmont National Wildlife Refuge, known as the "Five Points Lake" situated west of Five Points in tract 490, being west of the Dames Ferry—Wayside Road.

Entry on and use of the refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F.R. 5284), and strict compliance therewith is required. Fishermen may not use boats or floating devices of any kind and must follow such routes of travel within the refuge as are designated by posting. All fishermen must comply with all State fishing laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such law and regulations. The use of live minnows for bait is not permitted.

Persons exercising the privilege of fishing herein authorized will be required to supply the officer in charge with information concerning the number of fish caught, species, length and weight in accordance with instructions provided by the officer in charge.

Dated: April 24, 1945.

ALBERT M. DAY, Acting Director.

[F. R. Doc. 45-7222; Filed, May 2, 1945; 2:42 p. m.]

No. 89---5

Notices

OFFICE OF DEFENSE TRANSPORTA-

[Supp. Order ODT 3, Rev. 654] TENNESSEE AND VIRGINIA

COORDINATED OPERATIONS OF CERTAIN
CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2.1 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in

conflict therewith. 2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any

shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense

Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of De-

fense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of May 1945.

Guy A. RICHARDSON, Director, Highway Transport Department, Office of Defense Transportation.

APPENDIX 1

J. H. Smith, Fred Smith, and A. W. Smith, copartners, doing business as Smith's Transer, Bristol, Va.

S. P. Rutherford, doing business as S. P. Rutherford Transfer, Bristol, Tenn.

Rutherford Transfer, Bristol, Tenn. Clifford Skipworth, doing business as The

People's Transfer Co., Johnson City, Tenn. [F. R. Doc. 45-7125; Filed, May 1, 1945; 12:39 p. m.]

¹ Filed as part of the original document.

[Supp. Order ODT 3, Rev. 661]

ALABAMA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto

as Appendix 2,1 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered. That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in con-

flict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compli-

ance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transpor-

tation

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of De-

fense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25. D. C.

This order shall become effective May 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of May 1945.

> GUY A. RICHARDSON, Director, Highway Transport Department Office of Defense Transportation.

APPENDIX 1

J. C. Barber, doing business as Dixle Transfer & Storage Co., Dothan, Ala. R. T. Senn, doing business as Senn Trans-

fer Company, Dothan, Ala.

[F. R. Doc. 45-7126; Filed, May 1, 1945; 12:40 p. m.]

[Supp. Order ODT 2-141

PUBLIC UTILITIES COMMISSION, SAN FRAN-CISCO, CALIF.

SUBSTITUTION OF MOTORBUS SERVICE FOR STREET RAILWAY SERVICE

Upon consideration of the application for authority to substitute motor bus service for certain street railway passenger service filed with the Office of Defense Transportation by the Public Utilities Commission, City and County of San Francisco, California, as contemplated by General Order ODT 2 (7 F.R. 2952), and good cause appearing therefor, It is hereby ordered, That:

1. The Public Utilities Commission. City and County of San Francisco, is authorized to abandon street railway service and to substitute therefor motorbus service over that section of its 12 M street car line along Sloat Boulevard between the terminus adjacent to Fleishhacker Pool and the intersection of Junipero Serra Boulevard and Sloat Boulevard, known as St. Francis Circle: and to remove the tracks from any and all of said streets: Provided, however, That the said Public Utilities Commission, if and to the extent required by law, shall first obtain from the appropriate regulatory body or bodies authority to abandon such railway service and to remove such

2. Communications concerning this order should refer to Supplementary Order ODT 2-14 and should be addressed to the Highway Bransport Department, Office of Defense Transportation, Washington 25. D. C.

This order shall become effective May

Issued at Washington, D. C., this 1st day of May 1945.

> J. M. JOHNSON. Director. Office of Defense Transportation.

[F. R. Doc. 45-7253; Filed, May 3, 1945; 10:42 a. m.]

> [Supp. Order ODT 2-15] CO-OPERATIVE TRANSIT CO.

SUBSTITUTION OF MOTOR VEHICLE PASSENGER SERVICE FOR STREET RAILWAY SERVICE

Upon consideration of an application filed with the Office of Defense Transportation by Co-operative Transit Company, and it appearing that the application contemplates the substitution of motor vehicle passenger service for certain street railway passenger service as governed by § 501.2 of General Order ODT 2 (7 F.R. 2952), and good cause appearing therefor; It is hereby ordered.

(1) Co-operative Transit Company is authorized to abandon street railway service over its division known as the "Bellaire-Shadyside Division" between Bridgeport, Ohio (at the intersection of Lincoln and Main Streets) and Shadyside, Ohio, through Bellaire, Ohio, a distance of 40,630 feet, partly in streets and partly on private right of way; to substitute therefor motor vehicle bus service to be operated by The Co-operative Bus Company, a subsidiary of Co-operative Transit Company; and to remove the tracks from any part or all of the described segment of the said Bellaire-Shadyside Division: Provided, however, That Co-operative Transit Company and The Co-operative Bus Company, if and to the extent required by law, shall first obtain from the appropriate regulatory body or bodies authority to abandon such railway service to remove such tracks and to operate such motor vehicle bus service, And provided further, That no tracks used and needed by the cars of any remaining division of Co-operative Transit Company shall be removed.

2. Communications concerning this order should refer to Supplementary Order ODT 2-15 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Wash-

ington 25. D. C.

This order shall become effective May

Issued at Washington, D. C., this 3d day of May 1945.

> J. M. JOHNSON, Director. Office of Defense Transportation.

[F. R. Doc. 45-7254; Filed, May 3, 1945; 10:42 a. m.]

> [Special Order ODT E-16] SACRAMENTO, CALIF., AREA

EXPEDITING COLLECTION AND DELIVERY OF LINE-HAUL SHIPMENTS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, and War Production Board Directives 21 and 36, as amended, and in order to conserve and providently utilize vital transportation equipment, materials, and supplies, and to provide for the continuous and expeditious movement of necessary traffic by common carriers of property, the attainment of which purposes is essential to the successful prosecution of the war, and being satisfied that the fulfillment of the requirements for the defense of the United States has resulted and will result in a shortage in the supply of motor transportation equipment, materials, and supplies for defense, and for private account and for export, and it being deemed necessary and appropriate in the public interest and to promote the national defense, it is hereby ordered, that:

1. Applicability. The provisions of this order shall be applicable only to the collection and delivery by or for the account of common carriers in the Sacramento area of shipments of property transported in line-haul service.

2. Definitions. As used in this order,

the term:

(a) "Sacramento area" means and includes the municipality of Sacramento, California, and the territory immediately adjacent thereto and commercially a part thereof.

(b) "Common carrier" or "carrier" means any person which holds itself out to engage in the transportation of property for the general public in line-haul service for compensation, regardless of the designation of such person under any

Federal or State statute.

(c) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal

entity.
(d) "Line-haul service" means the transportation of property by any facility of transportation between a point within the Sacramento area and a point

outside that area.
(e) "Collection" or "collect" means taking possession of property at a shipper's dock, warehouse, or other point where the property is available for loading for transportation and includes the acceptance of property from the shipper, or the shipper's agent, at the terminal or other facility maintained by the carrier for the acceptance of property.

(f) "Delivery" or "deliver" means relinquishing possession of property at the consignee's dock, warehouse, or other point which the consignee has designated for receiving delivery of the property and includes acceptance of the property by the consignee, or the consignee's agent, at the terminal or other facility maintained by the carrier for the de-

livery of property.

(g) "Truckload traffic" means a shipment moving from one consignor to one consignee in one day under truckload or volume rate, subject to a stated minimum weight of not less than 10,000 pounds, and covered by one bill of lading.

(h) "Property" means anything, except persons and their personal baggage, capable of being transported by vehicle. (i) "Vehicle" means any facility cap-

able of being used for the transportation

of property.

(j) "Special equipment" means any vehicle, the primary carrying capacity of which is occupied by mounted ma-

3. Collections of property; availability and restrictions. (a) Before attempting collection of property, a common carrier shall make definite arrangements with the shipper thereof as to the time when and the place where the property will be available for collection.

(b) No common carrier shall collect, or cause the collection of, property at

any time except:

(1) Between the hours of 8 a. m. and 5 p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, and then only when the order for the collection thereof is received by the carrier prior to 3 p. m. of such day; or

(2) Between the hours of 8 a. m. and 1 p. m. on any Saturday and then only when the order for the collection thereof is received by the carrier prior to 12 noon of such day.

(c) No common carrier shall make, or cause to be made, more than one collection of property from any one dock, warehouse, or other collection point, for the account of any one shipper in any one calendar day: Provided, That the collection of truckload traffic, as defined in subparagraph (g) of paragraph 2 of this order, shall not be subject to the restriction of this subparagraph (c).

4. Designation of collection point; preparation of property for shipment. No common carrier shall attempt the collection of property from a shipper unless and until the shipper, prior to the time agreed upon by the carrier and shipper for the collection of such property, shall

have:

(a) Designated the point at which the property will be available for collection;

(b) Prepared the property for shipment including, in respect of two or more shipments, the segregation and separation of such shipments to permit prompt checking and identification by the carrier: and

(c) Placed the property for collection

at the point so designated.

5. Failure to prepare property for shipment; collection deferred. Whenever a shipper fails, prior to the time agreed upon by the carrier and shipper, to prepare and place property for collection in the manner specified in paragraph 4 of this order, no common carrier shall collect, or cause the collection of, the property thereafter during the same calendar day.

6. Restrictions on deliveries. (a) No common carrier shall deliver, or cause the delivery of, property at any time

(1) Between the hours of 8 a. m. and p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday;

(2) Between the hours of 8 a. m. and

1 p. m. on any Saturday.

(b) When delivering two or more shipments to a consignee at one time, the common carrier shall segregate or separate such shipments to permit prompt checking and identification of such shipments by the consignee.

(c) In effecting deliveries of property

no common carrier shall:

(1) Sort or separate any shipment as to sizes, brands, flavors, or other characteristics, for the use of the consignee;

(2) Deliver a single shipment, or part thereof, to more than one receiving point on or within the premises of the con-

signee.

(d) No common carrier shall make, or cause to be made, more than one delivery of property to any one destination point for the account or benefit of any one consignee in any one calendar day: Provided, That the delivery of truckload traffic, as defined in subparagraph (g) of paragraph 2 of this order, shall not be subject to the restriction of this subparagraph (d).

7. Placement of vehicles for collections or deliveries; restrictions. No common carrier for the purpose of collecting or delivering property shall place, or spot, or cause to be placed or spotted, or permit or allow to remain, any vehicle on, at, or near the premises of a shipper or

consignee (or other point or place designated by agreement for the collection or delivery of property) at any time during which collections, by virtue of the terms of paragraph 3 of this order, or deliveries, by virtue of the terms of paragraph 6 of this order, are prohibited.

8. Truckload deliveries; notification of consignee. A common carrier shall notify the consignee as to any truckload consignment before delivery thereof is attempted in order that the consignee may make provision for the prompt unloading of the vehicle or vehicles.

9. Places for collection and deliveries of property. Collections and deliveries of property shall be made only at places which physically are accessible to vehicles. Loading and unloading of vehicles shall be limited to places customarily used in collecting and delivering property at docks or street level.

10. Prohibited collections and deliveries; when may be made. (a) A common carrier, while making any collection or delivery not prohibited by the terms of the foregoing paragraphs of this order, may make any collection or delivery which is made without operating the collection or delivering vehicle any additional distance.

(b) A common carrier, who actually has commenced the collection of property at a shipper's dock, warehouse, or other point where the property is available as defined in paragraph 4 of this order, within the time not prohibited by the terms of paragraph 3 of this order, may complete the collection of such property: *Provided*, That the time required to complete such collection does not exceed an additional half hour beyond the time specified in said paragraph 3.

(c) A common carrier, who actually has commenced the delivery of property at the premises of a consignee within the time not prohibited by the provisions of paragraph 6 of this order, may complete the delivery of such property.

11. Exemptions. The provisions of this order shall not apply in respect of:

(a) Any shipment of property, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration;

(b) Any shipment consisting of household goods as defined in General Order ODT 43 (9 F.R. 3261);

(c) Any shipment of medicines or other supplies or equipment, the expedited movement of which is necessary for the protection or preservation of life, health, or public safety;

(d) Any shipment of property, the transportation of which requires special

equipment;

(e) Any shipment of livestock:

(f) Any shipment of property, the transportation of which requires the use of a mounted tank or tanks;

"(g) Any shipment of property moving in the express service of any common carrier by express subject to the provisions of Part I of the Interstate Commerce Act; (h) Any shipment of property during the course of its transfer between the terminals of carriers incidental to linehaul service; and

(i) Any shipment of perishable commodities, the expedited movement of which is necessary to prevent spoilage or other damage from deterioration.

12. Filing of tariffs. Every common carrier required by law to file tariffs of rates, charges, rules, regulations, and practices forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation affected by this order. and publish and file in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the rules, regulations, and practices of the carriers which may be necessary to accord with the provisions of this order: and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

13. Carrier not relieved from other laws or regulations. The provisions of this order shall not be so construed or applied as to authorize or require any act or omission which is in violation of any law or regulation, including any general order or other requirement of the Office

of Defense Transportation.

14. Special permits. The provisions of this order shall be subject to any special permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue hardship. Application for a special permit shall be made in conformity with the provisions of Administrative Order ODT 14 (9 F.R. 1184).

15. Communications. Communications concerning this order should refer to it by the special order number which appears in the caption hereof, and unless otherwise directed should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 10, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S. Code App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156; 7 F.R. 3349; WPB Dir 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 3009)

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 5th day of May 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-7255; Filed, May 3, 1945;

10:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Order 437] THE OLIVER CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 437 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. The Oliver Corporation. Docket No. 6083–136.25a– 218.

For the reasons stated in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation No. 136, It is ordered:

(a) The maximum price of the Oliver Corporation, 19300 Euclid Avenue, Cleveland 17, Ohio, for its sale of the Cletrac crawler tractors enumerated below shall be determined by applying to the respective maximum list prices set forth below, the discounts, allowances and other terms of delivery in effect by the Cleveland Tractor Company on October 1, 1941, to its various classes of purchasers, except that on the FD model the former dealer's discount of 22% and cash discount of 4% shall be 20% and 2% respectively.

	Maximum
Cletrac crawler tractors:	list price
HG42	81,010
HG68	1,030
AG6	2,010
AD.	2,350
BD	3.020
DGH	
DDH	4,375
FD	7,750
FDLC	8, 515

(b) The maximum prices of the Oliver Corporation for special machines shall be determined by applying the same dollar differential from the standard models enumerated in paragraph (a) above as was effective on October 1, 1941.

(c) The resellers of the Cletrac Crawler Tractors described in paragraph (a) and (b) above may increase the maximum prices which they had in effect just prior to the issuance of this order by the percentage amount by which their invoiced costs of such tractors increased pursuant to this order.

(d) The Oliver Corporation shall give notice in writing to its customers who purchase the subject tractors for resale on the percentage amounts by which this order authorizes such resellers to increase their maximum prices for resale. A copy of each such notice shall be filed with the Office of Price Administration, Washington 25, D. C., within thirty days from the effective date of this order. Where similar notices are given, Oliver Corporation may file a single copy of the notice and the names of the persons to whom its duplicates were sent.

(e) All requests not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May
4, 1945.

Issued this 3d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7279; Filed, May 3, 1945; 11:42 a. m.]

[Order 39 Under 3 (e), Amdt. 1]

WAVERLY PETROLEUM PRODUCTS Co.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.3 (e) of the General Maximum Price Regulation; It is ordered, That Order No. 39 issued under § 1499.3 (e) of the General Maximum Price Regulation be amended in the following respects:

1. By amending paragraph (a) to provide the following maximum prices for Kan-Doo:

	Per case of 24 8- ounce bottles, delivered	F. o. b. seller's ship- ping point		
		Per gallon in 5- gallon con- tainers	Pergallon in larger than 5- gallon con- tainers	
To jobbers	\$5, 04 6, 30 8, 40	\$1.50	\$1.25	

2. By amending paragraph (d) so that the legend "Maximum retail price 23 cents" reads "Maximum retail price 35 cents."

This amendment shall become effective May 3, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7206; Filed, May 2, 1945; 11:41 a. m.]

[MPR 188, Order 3747] LEWYT CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

- (a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Lewyt Corporation, 60 Broadway, Brooklyn 11, New York.
- (1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufac- turer's maxi- mum price to persons, other than re- tailers, who sell from their own stock	Manufac- turer's maxi- mum price to persons, other than re- tailers, who sell from the manufac- turer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Juvenile Desk Set		Each \$14. 27	Each \$15.16	Each \$17.84

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated January 3, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effec-

tive date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7188; Filed, May 2, 1945; 11:40 a.m.]

[MPR 260, Order 857]

WILLIAM T. BOLAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: It is ordered. That:

ulation No. 260; It is ordered, That:

(a) William T. Bolan, Sr., Box 423, Bethesda, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front- mark	Pack- ing		Maxi- mum retail price
Maiposa Stringmaid Rose Croix	35 x 334 36 x 334 34 x 4	50 50 50	Per M \$48 56 56	Cents 6 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maxi-

mum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7189; Filed, May 2, 1945; 11:38 a. m.]

[MPR 260, Order 858]

NORMAN CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Norman Cigar Factory, 2905½ Chestnut Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell

or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front- mark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Norman Specials.	Coronas Panetelas Cadets	50 50 50	Per M \$75 64 56	Cents 10 8 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-7190; Filed, May 2, 1945; 11:39 a. m.]

[MPR 260, Order 859]

BORINQUEN CIGAR & TOBACCO ASSOCIATES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Borinquen Cigar & Tobacco Associates, Tetuan Street, No. 60, P. O. Box 4471, San Juan 22, Puerto Rico (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Max- imum list price	Max- imum retail price
Seven-Eleven (7-11) Big Joe. B. C. T. Mr. Rico Special Mr. Rico "Admiral", Mr. Rico Master (Maravillas), Nor-N-Mor (Long Fellow),	4"	50 50 50 50 50 50	44, 00 72, 00 82, 50 82, 50 105, 00	2 for 11 9

Prices are for this eigar using Porto Rican long filler

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices

are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3. 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, Jr. Acting Administrator.

[F. R. Doc. 45-7191; Filed, May 2, 1945; 11:39 a. m.]

[MPR 260, Order 860]

B & B CIGAR Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) B & B Cigar Company, E. Market St., Hellam, Penna. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Tobacco King	Tobacco King De Luxe.	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-7192; Filed, May 2, 1945; 11:36 a. m.]

[MPR 260, Order 861]

WEBER E. ROSENBERG

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Weber E. Rosenberg, Box 579, Rt. 6, Temple Terace, Tampa 4, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
La Savina	Princess. Panetela Delights. Cadets. De Luxe Smokers: Fancy Tales. Londres. Sweeties. Queens. Brevas.	50 50 50 50 50 50 50 50	72.00 154.00 115.00 75.00	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7193; Filed, May 2, 1945; 11:39 a. m.]

[MPR 260, Order 862]

FUMA TAMPA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to \$1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That

(a) Fuma Tampa Cigar Factory, 1103
N. Armenia Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below;

Brand	Size or frontmark	Pack- ing	Max- imum list price	Max- imum retail price
Fuma Tampa.	Panatela Espe-	50	Per M \$154.00	Cents 20
The Late	Victorias Brevas	50 50 50	97, 50 115, 00 56, 00	13 15 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall. with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time. This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7194; Filed, May 2, 1945; 11:39 a, m.]

[MPR 260, Order 863] PROGRESS CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Progress Cigar Company, 428 S. 13th St., Philadelphia 47, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maximum retail price
La Granda	Junior	50	Per M \$28	Cents 2 for 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7195; Filed, May 2, 1945; 11:37 a. m.]

[MPR 260, Order 864] JOHN D. DEARDORFF

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) John D. Deardorff, 71 W. Main Street, Dallastown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maximum retail price
The Mary Ellen.	Hand Made	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order. the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7196; Filed, May 2, 1945; 11:36 a. m.]

[MPR 260, Order 865]

L. GULLO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) L. Gullo Cigar Factory, 1701½ 8th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front- mark	Pack- ing	Maximum list price	Maxi- mum retail price
L. Gullo	Londres Corona Breva Especial Breva	50 50 50 50	64.00	

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class

to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corre-sponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 onsales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945,

Issued this 2d day of May 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-7197; Filed, May 2, 1945; 11:38 a. m.]

[MPR 260, Order 866]

BENJAMIN H. CAMPBELL

AUTHORIZATION OF MAXIMUM PRICES For the reasons set forth in an opinion

accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Benjamin H. Campbell, 418 N. Adelle Avenue, De Land, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following

domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maximum retail price
Volusia-Havanas Florida Special	434" 476" long 1		Per M \$78.75 75.00	2 for 21

¹ Prices apply to this brand and frontmark using only Connecticut Shade or Havana wrapper as specified in application.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation

No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-7198; Filed, May 2, 1945; 11:38 a. m.]

[MPR 260, Order 867]

TROPICAL CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Armando Bermudez, d/b/a The Tropical Cigar Factory, 918 Duval Street, Key West, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Key West Specials	5%6"	50 50 50	Per M \$90.00 82.50 36.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices

are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7199; Filed, May 2, 1945; 11:38 a. m.]

[MPR 260, Order 868] FERCO CIGAR Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Ferco Cigar Company, 2135 Pine Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Max- imum list price	Max- imum retail price
Ferco	Ferco	50 50 50	Per M \$105, 00 44, 00 97, 50	Cents 14 2 for 11 13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark

of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES.

Administrator.

[F. R. Doc. 45-7200; Filed, May 2, 1945; 11:37 a. m.]

[MPR 260, Order 869] Diaz & Borrego Cigar Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Diaz & Borrego Cigar Company, 2705 12th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Max- imum list price	Max- imum retail price
Diaz & Borrego	Demi-Tasse Brevas Epicures Sublimes	50 50 50 50	Per M \$40 115 123 75	Cents 5 15 16 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted

in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7201; Filed, May 2, 1945; 11:37 a. m.]

[RMPR 136, Order 434]

CARVER COTTON GIN CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 434 under Revised Maximum Price Regulation 136. Machines, parts, and industrial equipment. Carver Cotton Gin Company. Docket No. 6083– 136.25a–283.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, It is ofdered:

(a) The maximum prices for sales of the machines listed below by Carver Cotton Gin Company, East Bridgewater, Massachusetts, shall be determined as follows:

The company shall deduct from the following prices all discounts, allowances and other deductions from the list price that it had in effect to a purchaser of the same class on October 1, 1941:

Price from which d	sconts
Machine are to be deduc	ted
M4 Linter 141 saw	
Linter, #3 layout, 106 saw	863
Linter M4S 141 saw	1,013
Huller-48" central concave	1,552
Huller-36" central concave	1,373
Huller-24" central concave	1,009
Shaker—54" double one pass	674
Shaker—48" double one pass	674
Shaker—36" double one pass	643
Beater-double drum rotating	1,602
Beater—single drum rotating	1, 224
Beater—rotating drum tailings,	507
straight drive	501
Cellulose control machine—6 basket	769
double spiked	100
Hull and seed separator—66" with	688
Purifier-54" two tray with blower	000
less feeder	807
Purifier—36" two tray with blower	
less feeder	775
	JULY TES

(b) The maximum prices for sales by resellers of the machines listed in paragraph (a) of this order shall be determined as follows:

The reseller shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order, the dollars and cents amount by which his net invoiced cost has been increased by reason of this order.

(c) Carver Cotton Gin Company shall notify each reseller of the dollars and cents amount by which this order permits the reseller to increase his maximum price. A copy of such notice shall be filed with the Machinery Branch, office of Price Administration, Washington 25 D. C.

ington 25, D. C.
(d) All requests not granted herein

are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7185; Filed, May 2, 1945; 11:35 a. m.]

[RMPR 136, Order 436]

SUNBEAM ELECTRIC MANUFACTURING Co., AND SEARS, ROEBUCK AND CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1390.9 of Revised Maximum Price Regulation No. 136 and section 6.4 of Second Revised Supplementary Regulation No. 14; It is ordered:

(a) This order establishes maximum prices for sales of the Model No. 106.244201 Coldspot refrigerator replacement units manufactured by the Sun-

beam Electric Manufacturing Company, Evansville 7, Indiana, and sold at retail by Sears, Roebuck and Co., Chicago, Illinois, for use in Coldspot electric refrigerators. These maximum prices are as follows:

(1) For sales by the Sunbeam Electric Manufacturing Company to Sears, Roebuck and Company the maximum price is \$66.00 each. This price includes the

Federal excise tax.

(2) For sales at retail by Sears, Roebuck and Company the maximum price is \$81.00 each. This price is for the unit installed in the consumer's refrigerator. The price includes the Federal excise tax, and a guarantee by the seller to the original purchaser of the unit to replace or repair the unit without cost if it becomes inoperative within five years from the date of delivery as a result of any defects in material or workmanship.

(b) Sears, Roebuck and Company may require, in connection with sales of the replacement units covered by this order, the surrender, by the purchaser, of the unit that the new unit is intended to replace. No allowance need be made by the seller for the surrendered unit.

(c) This order may be revoked or amended by the Office of Price Adminis-

tration at any time.

(d) This order shall become effective on the 3d day of May, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7186; Filed, May 2, 1945; 11:35 a. m.]

[MPR 188, Correction to Order 2274]

DECORATIVE CHAIR CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, Order No. 2274 is corrected as follows:

(1) The price set forth in paragraph (2) (i) for the model number 100 A hassock is corrected to read \$3.15 instead of \$2.32.

(2) The price set forth in paragraph (2) (i) for model number 100 B is corrected to read \$2.32 instead of \$3.51.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7187; Filed, May 2, 1945; 11:40 a. m.]

[Order 81 Under Order 375 Under 3 (b)]

HOMESPUN FRUIT PRODUCTS Co.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 81 under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation, Homespun Fruit Products Company, Docket No. 6035.2-375-1 (d)-1.

For the reasons set forth in an opinion issued simultaneously herewith; It is ordered, That:

(a) The maximum delivered prices for the sellers indicated below per case con-

taining six (6) one-half gallon jugs on sales of "Homespun Fruit Drink," a beverage having four flavors, namely, lemon-lime, mixed fruit, grape and orange, manufactured by Homespun Fruit Products Company, 4743 Brooklyn Avenue, Los Angeles 22, California, in accordance with statements submitted in its price application shall be as follows:

Sales by	To	Max- imum price
Homespun Fruit Products Co. Wholesalers and wagon wholesalers. Chain stores, cooperatives, and independent retailers.	Wholesalers, wagon wholesalers, chain stores and coopera- tives. Independent retailers. Consumers. Independent retailers.	Per case \$1.83 2.20 2.94 2.20 2.94

(b) F. o. b. plant maximum prices may be determined by deducting \$0.10 (freight charge) from the above deliv-

ered maximum prices.

(c) The prices established in this order are the highest prices for which "Homespun Fruit Drink" may be sold by the respective sellers. All sellers on sales of this item shall reduce the above appropriate maximum prices by applying discounts, allowances and price differentials which have been customarily applied on sales of other comparable beverages. In the application of any customary differential, the specific maximum prices established by this order must not be exceeded.

(d) Homespun Fruit Products Company shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchasers the

following notice:

(1) To, wholesalers, wagon wholesalers chain stores, cooperative and independent retailers:

The Office of Price Administration has authorized us to sell our "Homespun Fruit Drink" to wholesalers, wagon wholesalers, chain stores and cooperatives at a maximum delivered price of \$1.83 per case containing six one-half gallon Jugs, each.

Our maximum delivered price and the maximum delivered price for wholesalers

Our maximum delivered price and the maximum delivered price for wholesalers and wagon wholesalers as authorized, on sales of the same item to independent retailers, is \$2.20 per case containing six one-half gallon jugs, each.

Our maximum delivered price and the maximum delivered prices for chain stores, cooperative and independent retailers on sales of the same item to ultimate consumers is \$2.94 per case containing six one-half gallon jugs, each.

F. c. b. plant maximum prices may be determined by deducting the \$0.10 freight allowance from the above maximum deliv-

ered prices.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective May 3, 1945.

Issued this 2d day of May, 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-7245; Filed, May 2, 1945; 4:56 p. m.] [MPR 122, Amdt. 22 to Rev. Order 47]

SOLID FUELS IN WASHINGTON, D. C., AREA AND ALEXANDRIA, VA.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, It is ordered, That Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. Paragraph (c) is amended to read as follows:

(c) Price Schedule I: Sales on a "direct delivery" basis. (1) Price Schedule I sets forth maximum prices for retail sales of specified sizes, kinds and quantities of solid fuels delivered to consumers at any point in the Washington, D. C., metropolitan area. Deliveries of the fuels for which maximum prices for yard sales to consumers in 50 to 500 pound quantities are specified in paragraph (d) may be made at the maximum price specified for such quantities of the fuel plus 5 cents for each bag or basket containing not less than 50 pounds.

Kind and size	Per ton, net, 2,000 lbs.	Per ½ ton, net, 1,000 lbs.
Pennsylvania anthracite:		e - YA
Egg, stove, nut	\$13.32	\$7, 11
Pea	11 69	6. 26
Buckwheat #1	9.78	5.34
Buckwheat #1 Rice (buckwheat #2) Barley (buckwheat #3)	8, 97 7, 84	4.93
Virginia anthracite:	1.82	4. 42
Egg, stove, nut	10.57	5, 74
Pon	8.96	4.93
Kiiokwhoor #1	7.38	4.14
districts Nos. 1, 2, 3, 7 and 8: Egg, stove and nut	0 47	4.00
Domestic run-of-mine.	8, 77 7, 88	4. 89
Low volatile bituminous coal from	44.00	36.33
district No. 8:		
Domestic run-of-mine in quantities	8.48	4.74
Domestic run-of-mine in quantities		12 14
of two tons or less. Low volatile bituminous coal from	9.01	4. 4
district No. 7:		
Egg	11, 22	6, 11
Stove	11.05	6, 03
Nut.	10.11	5, 56
Nut Specially prepared mixture of pea, stove and nut coal, sold for hot	The state of the s	2000
water heating	9, 62	F 01
Pea.	8. 53	5. 31 4. 77
Pea. Domestic run-of-mine.	8, 64	4.82
Domestic run-of-mine in quantities of two tons or less	W3777	100
of two tons or less	9.17	4.82
Nut and slack. Low and medium volatile bituminous	8. 10	4, 55
coal from district No. 1 or district		
No. 3 in price classification A:		
Egg	9,82	5, 41
Stove.	9, 56	5, 28
Stove 134" to 234" lump Domestic run-of-mine	8.66	4.83
Domestic run-of-mine in quantities	8. 12	4.56
of two tons or less	8,50	4.56
Nut and slack	8.04	4.52
Driquettes:	4 5 15	71.00
Gien Rogers briquettes	10, 62	5.76
Berwind briquettes	10.42	5. 65
Ambricoal Cannel coal from district No. 8, lump	11, 25 15, 53	6.07
	12.85	8.27 6.93
Coke	13.50	7. 20
	ALTER TOTAL	41.00
recigimed coke;	and the	
Reclaimed coke: Nut. Pea.	12. 20 10. 45	6, 55 5, 68

2. Paragraph (d) is amended to read as follows:

(d) Price Schedule II: "Yard sales". Price Schedule II set forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels delivered at the yard of any dealer in the Washington, D. C. metropolitan area. The first column of prices applies to yard sales to consumers and the last column of prices applies to yard sales to dealers in fuels who resold them. The second column of consumer prices applies to yard sales of fuels measured in bags or baskets containing not less than 50 pounds; but this column of prices shall not apply to sales of more than 500 pounds.

		Consumer prices		
Kind and size	Net ton, 2,000 lbs.	Per 100 lbs.	net ton, 2,000 lbs.	
Pennsylvania anthracite:				
Egg, stove, nut	\$12.43 10.73	\$0.90	\$11.04 9.39	
Buckwheat #1 Rice (buckwheat #2)	8. 89	.04	7. 64	
Barley (buckwheat #2)	8.08		6.78	
Virginia anthracite:	200000	0.0000000	6.63	
Egg, stove, nut	9.67	.76	8.33	
Pea Buckwheat #1	8. 07 6. 49	. 68	6. 86 5. 46	
High volatile bituminous coal from Districts Nos. 1, 2, 3, 7, or 8:	0.40	******	0.40	
Egg, stove, nut Domestic run-of-mine	7.88	.68	6. 58	
from District No. 8:	7.12	. 67	6. 54	
Domestic run-of-mine Low volatile bituminous coal from District No. 7:	7. 58	.72	7.31	
Egg	10.33	.80	8, 95	
StoveNut	10. 15 9. 21	.80 .75	8, 81	
Specially prepared mixture of pea, stove and nut coal, sold for hot water heating	2000			
Pea.	8. 72 7. 64	.70	8.06 7.41	
Domestic run-of-mine	7.74	.72	7.47	
Nut and slack. Low and medium volatile bituminous coal from District No. 1 or from District No. 3 in price classification A:	7. 21		6, 89	
classification A:	0.00			
Egg Stove	8. 95 8. 68	.74	7.79	
Stove. 1¼" to 2¾" lump.	7.79		7. 07	
Domestic run-of-mine Nut and slack	7. 25	. 69	6.80	
Briquettes:	******	CASSESANT.	0.00	
Glen Rogers briquettes Berwind briquettes	9. 73	******	*******	
Ambricosl	9. 53 10. 36		**********************	
Ambricosl Cannel coal from district				
No. 8 lump Splint coal from district No. 8 lump	14.64	744444		
Coke	12, 50		11.60	
Coke Reclaimed coke:	(F) (S) (S) (S)	100000000000000000000000000000000000000		
NutPea	11. 20 9. 45	.80	10. 30 8. 55	
		-	-	

3. In paragraph (f) Price Schedule IV: Alexandria, Virginia, the maximum prices for "Low volatile bituminous coal from District No. 7 (or Pocahontas or New River)", "Low volatile bituminous coal from District No. 8," "Cannel coal from District No. 8," "Coke" and "Reclaimed Coke" are deleted, and the following are inserted as follows:

(f) Price Schedule IV: Alexandria, Virginia:

Per ton	Per 34 ton
\$11, 71 11, 56 10, 36 9, 26 9, 16 8, 76	\$6, 36 6, 28 5, 68 5, 13 5, 08 4, 88 6, 20
	\$11,71 11,56 10.36 9,26 9,10

Kind and size	Per ton	Per 1/2 ton
High volatile bituminous coal from district No. 8: Block Egg (larger than 5" x 2") Stove Nut Screenings (larger than 3%" x 0") Cannel coal from district No. 8	\$11, 50 9, 40 9, 35 9, 60 8, 15 16, 05	\$6, 25 5, 20 5, 18 5, 30 4, 58 8, 53

This amendment to Revised Order No. 47 shall become effective May 2, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7244; Filed, May 2, 1945; 4:52 p. m.]

[RMPR 136, Order 435] BEAVER PIPE TOOLS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 435 under Revised Maximum Price Regulation 136. Machines, parts, and industrial services. Beaver Pipe Tools, Inc., Docket No. 6083-136.25a-314.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, It is ordered:

(a) The maximum net prices of Beaver Pipe Tools, Inc., Warren, Ohio, for its sales to any of its classes of purchasers of the following cutting and threading tools shall be determined by increasing its maximum net prices duly in effect just prior to the issuance of this order in the following amounts:

No. 13-R ratchet threader, 1"-2" 83 No. 7-R ratchet pipe threader, 1"-2" 95 No. 9-R ratchet threader, 1"-2" 86 Extra dies for Nos. 7-R and 9-R 02 No. 71 threaders (less dies) 29 No. 71-R threaders (less dies) 47 No. 371 adjustable diehead (less dies) 24 No. 72 Beaver adjustable threader (no dies) 69 Pipe vise and pipe centering device for		Incre	ease in
No. 10 RE conduit threader, 1''-2'' 88 No. 13-R ratchet threader, 1''-2'' 83 No. 7-R ratchet pipe threader, 1''-2'' 95 No. 9-R ratchet threader, 1''-2'' 86 Extra dies for Nos. 7-R and 9-R 02 No. 71 threaders (less dies) 29 No. 71-R threaders (less dies) 47 No. 371 adjustable diehead (less dies) 24 No. 72 Beaver adjustable threader (no dies) 69 Pipe vise and pipe centering device for	Item	net	price
No. 10 RE conduit threader, 1''-2'' 88 No. 13-R ratchet threader, 1''-2'' 83 No. 7-R ratchet pipe threader, 1''-2'' 95 No. 9-R ratchet threader, 1''-2'' 86 Extra dies for Nos. 7-R and 9-R 02 No. 71 threaders (less dies) 29 No. 71-R threaders (less dies) 47 No. 371 adjustable diehead (less dies) 24 No. 72 Beaver adjustable threader (no dies) 69 Pipe vise and pipe centering device for	No. 10-R ratchet threader, 1"-2"	-	\$0.88
No. 13-R ratchet threader, 1"-2" 83 No. 7-R ratchet pipe threader, 1"-2" 95 No. 9-R ratchet threader, 1"-2" 86 Extra dies for Nos. 7-R and 9-R 02 No. 71 threaders (less dies) 29 No. 71-R threaders (less dies) 47 No. 371 adjustable diehead (less dies) 24 No. 72 Beaver adjustable threader (no dies) 69 Pipe vise and pipe centering device for			. 88
No. 9-R ratchet threader, 1"-2"			. 83
Extra dies for Nos. 7–R and 9–R	No. 7-R ratchet pipe threader, 1"-2		. 95
No. 71 threaders (less dies)	No. 9-R ratchet threader, 1"-2"		. 86
No. 71-R threaders (less dies)	Extra dies for Nos. 7-R and 9-R		.02
No. 71-R threaders (less dies)			. 29
No. 371 adjustable diehead (less dies) 24 No. 72 Beaver adjustable threader (no dies) 69 Pipe vise and pipe centering device for			. 47
dies)			. 24
dies)	No. 72 Beaver adjustable threader	(no	
	The state of the s		. 69
	Pipe vise and pipe centering device	for	
			. 19

(b) The maximum resale prices of resellers of the following cutting and threading tools manufactured by Beaver Pipe Tools, Inc., shall be as follows:

	Resale
Item	price
No. 10-R ratchet threader, 1"-2"	\$14.38
No. 10-RE conduit threader, 1"-2"	15, 88
No. 13-R ratchet threader, 1"-2"	15.83
No. 7-R ratchet pipe threader, 1"-2"_	14.45
No. 9-R ratchet threader, 1"-2"	15.86
Extra dies for Nos. 7-R and 9-R	.77
No. 71 threaders (less dies)	4.79
No. 71-R threaders (less dies)	6.97
No. 371 adjustable diehead (less dies) No. 72 Beaver adjustable threader (no	2.24
dies)	9.69
Pipe vise and pipe centering device for use on Model C power drives	
only	3.69

(c) Beaver Pipe Tools, Inc., shall give written notice to its customers who pur-

chase for resale the cutting and threading tools described in paragraphs (a) and (b) hereof of the amounts whereby such resellers may increase their maximum resale prices pursuant to the terms of this order. A copy of each such notice shall be filed with the Office of Price Administration, Washington 25, D. C., within thirty days after the effective date of this order and within ten days after the giving of any such notice subsequent thereto.

All other requests not granted herein are denied.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7249; Filed, May 2, 1945; 4:57 p. m.]

[MPR 188, Revocation of Order 3372]

THE H & P HOUSE FURNISHING CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188. It is ordered:

Order No. 3372 under § 1499.158 of Maximum Price Regulation No. 188 is hereby revoked.

This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7231; Filed, May 2, 1945; 4:52 p. m.]

[MPR 188, Order 3737] BROOKS OF CALIFORNIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered:

- (a) The maximum prices, f. o. b. point of shipment, for sales by any person of the following control valve manufactured by Brooks of California, of Los Angeles, California and described in its application of April 6, 1945, shall be:
- (1) On sales to consumers, 3/4" brass control valve, \$3.75.
- (2) On-sales to dealers, the maximum price shall be that specified in (a) (1) less a discount of 20 percent.
- (3) On sales to jobbers in lots of 5000 or more, the maximum price shall be that specified in (a) (1) less successive discounts of 20-25 percent.
- (b) In addition to the discounts enumerated above in (a) (2) and (a) (3) the maximum price established by this order is subject to such further discounts,

allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum

Price Regulation No. 251.

(d) Each seller, except on sales to consumers, shall notify in writing each purchaser of the seller's maximum price established by this order as well as the maximum prices established for each such purchaser on resale.

(e) Brooks of California shall tag the control valve covered by this order and shall print in a conspicious place on this tag the maximum price to consumers established by this order and shall identify such price as the maximum price to consumers.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

James G. Rogers; Jr., Acting Administrator.

[F. R. Doc. 45-7232; Filed, May 2, 1945; 4:52 p. m.]

[MPR 188, Order 3738]

PENNSYLVANIA RANGE BOILER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered:

(a) The maximum net prices, including federal excise tax, on sales to consumers of the following models of automatic gas-fired water heaters manufactured by the Pennsylvania Range Boiler Company and described in its letter of April 5, 1945, shall be:

(b) The maximum net prices including federal excise tax on sales to retailers or installers of the following models of automatic gas-fired water heaters manufactured by the Pennsylvania Range Boiler Company, shall be:

(c) The maximum net prices, including federal excise tax, f. o. b. point of manufacture, on sales to jobbers of the following models of automatic gas-fired water heaters manufactured by the

Pennsylvania Range Boiler Company, shall be:

Bradford—20 gallon automatic gasfired water heater \$37.59 Bradford—30 gallon automatic gasfired water heater 44.39

(d) The maximum prices specified above for sales by the Pennsylvania Range Boiler Company shall be subject to the following terms of sale:

(1) Cash discount 1 percent 10 days; 30 days net, f. o. b. point of manufacture. Cash discount shall apply to net amount of invoice, after freight allowance has been deducted and before excise tax is added.

(2) On shipments of less than 12 heaters, an additional net charge of 11.5 cents per heater may be made to the net

price of each heater.

(3) On shipments of less-than-carload lots of 100 pounds of more, a freight allowance of \$1.00 per cwt. shall be allowed; full freight shall be allowed in carload shipments of 30,000 pounds or more.

(e) In addition to the terms of sale enumerated above in (d) the maximum prices established by this order shall be subject to such discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered, or would have extended or rendered to purchasers of the same class of comparable sales of similar commodities during March 1942.

(f) The maximum prices for sales on an installed basis on the commodities covered by this order shall be determined in accordance with Revised Maximum

Price Regulation No. 251.

(g) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of first invoice after the effective date of this order of the maximum prices established by this order for sales to such purchasers and the maximum prices established for such purchasers resale.

(h) The Pennsylvania Range Boiler Company shall stencil in a conspicuous place on each of the automatic gas-fired water heaters the maximum price to consumer established by this order, and shall identify such prices as maximum price to consumer.

(i) This order may be amended or revoked by the Price Administrator at any

time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7233; Filed, May 2, 1945; 4:53 p. m.]

[MPR 188, Order 3739]

M. S. LITTLE MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maxi-

mum Price Regulation No. 188; It is ordered.

(a) The maximum list prices for sales by any person of unplated unpolished brass fittings and trimmings manufactured by The M. S. Little Manufacturing Company of Hartford, Connecticut, which were not delivered or offered for delivery by such person during March 1942, shall be 85 percent of the highest list prices for which he delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by The M. S. Little Manufacturing Company of Hartford, Connecticut.

(b) The maximum list prices for sales by any person of unplated unpolished brass fittings and trimmings manufactured by The M. S. Little Manufacturing Company of Hartford, Connecticut. which were delivered or offered for delivery by such person during March 1942. shall be the highest list prices for which he delivered or offered for delivery the identical unplated unpolished brass fittings and trimmings during March 1942.

(c) The maximum list prices determined by The M. S. Little Manufacturing Company of Hartford, Connecticut, under the provisions of (a) above, shall, on sales to jobbers, be subject to a discount of 45 percent.

(d) In addition to the discount enumerated in (c) above, all sellers shall extend or render discounts, allowances and services at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum

Price Regulation No. 251.

(f) The M. S. Little Manufacturing Company, Hartford, Connecticut, shall notify in writing each of its purchasers at or before the time of the first invoice the maximum prices established by this order for The M. S. Little Manufacturing Company on sales to such purchasers, and the maximum resale prices established for such purchasers.

(g) This order may be revoked or amended by the Price Administrator at

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-7234; Filed, May 2, 1945; 4:58 p. m.]

> [MPR 183, Order 3740] SOUTHERN WOOD PRODUCTS Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Southern Wood Products Company, P. O. Box 678, Greenwood, Mississippi.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to re- tailers by the manufacturer, and by persons, other than re- tailers, who sell from the manu- facturer's stock
Juvenile set	25-A	Each \$5.48	Each \$5. 82	Each \$6.85

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within thirty days, net sixty days, and are for the article described in the manufacturer's applications dated February 15, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective

date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. notice may be given in any convenient

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-7235; Filed, May 2, 1945; 4:53 p. m.]

[MPR 188, Order 3741] SHELBYVILLE LUMBER AND MFG. Co. APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188;

It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Shelbyville Lumber and Manufacturing Company, North Main Street, Shelbyville, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufac- turer's maxi- mum price to persons, other than re- tailers, who sell from the manufac- turer's stock	Maximum price for sales to retailers by the manu- turer, and by persons, other than retailers, who sell from the manufac- turer's stock
Rockerless rocker deck	100	Dozen	Dozen
chair		\$10.14	\$11. 93

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within thirty days, net sixty days, and are for the articles described in the manufacturer's application dated February 22, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effec-

tive date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Admin-

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-7236; Filed, May 2, 1945; 4:54 p. m.]

[MPR 188, Order 3742]

FOX PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188: It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Fox Products, 216 North Clinton Street, Chicago 6, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufactur- er's stock	Maximum price for sales to re- tablers by the manufacturer, and by persons, other than re- tailers, who sell from the manu- facturer's stock
Magazine basket	139 129 119	\$5. 40 3. 57 2. 50	Each \$5, 74 3, 79 2, 65	Each \$6.75 4.46 3.12

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's applications dated February 24 and March 3, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-7237; Filed, May 2, 1945; 4:54 p. m.] [MPR 188, Order 3743]

THE H & P HOUSE FURNISHING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188. It is ordered:

(a) This order establishes maximum prices for sales and deliveries of a juvenile chair manufactured by The H & P House Furnishing Company, 226 Lafayette Street, New York, New York.

(1) For all sales and deliveries to the

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manuturer, and by persons, other than retailers, who sell from the manufacturer's stock
Juvenile chair	1080	Each \$1.88	Each \$2. 21

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated December 20, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at

This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-7238; Filed, May 2, 1945; 4:54 p. m.]

[MPR 188, Order 3744]
LUNA METAL CRAFT CO., INC.
APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,

and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered: (a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Luna Metal

prices for sales and deliveries of certain articles manufactured by Luna Metal Craft Company, Inc., 53-15 74th Street, Maspeth, Long Island, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE-ONE HEAT HOT PLATE MODEL LMC #1

Maximum prices for sales by manufac-	
turer to—	Each
Wholesaler	\$1.15
Retailer (in units of 6 or more)	1.36
Retailer (in units of less than 6)	1.47
Maximum prices for sales by sellers other than manufacturer to—	
Retailer (in units of 6 or more)	1.36
Retailer (in units of less than 6)	1.47
User	2.20

These maximum prices are for the articles described in the manufacturer's application dated March 13, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

This Order No. 3744 or Luna Metal Craft Co., 53-15 74th St., Maspeth, Long Island, N.Y.

Model LMC #1
OPA Retail Ceiling Price—\$2.20
Do Not Detach

This price includes the Federal Excise Tax

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, Jr. Acting Administrator.

[F. R. Doc. 45-7239; Filed, May 2, 1945; 4:54 p. m.]

IMPR 188, Order 37451

ROCHESTER KIMMEL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Rochester Kimmel Company, 165 St. Paul Street, Rochester 4, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE-SINGLE BURNER THREE-HEAT HOT PLATE No. 18

Maximum prices for sales by manufacturer to—	Each
Wholesaler	\$2.30
Retailer (in units of 6 or more)	2.75
Retailer (in less than 6 units)	2.98
Maximum prices for sales by sellers	
other than the manufacturer to-	
Retailer (in units of 6 or more)	2.75
Retailer (in less than 6 units)	2.98
User	4.40

These maximum prices are for the articles described in the manufacturer's application dated March 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of

similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following state-

This order No. 3745 or Rochester Kimmel Co., 165 St. Paul St., Rochester 4, N. Y.

Model No. 18 OPA Retail Ceiling Price—\$4.40 Do Not Detach

This price includes the Federal Excise Tax

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be

given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at

(e) This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-7240; Filed, May 2, 1945; 4:55 p. m.]

[MPR 188, Order 3746] DETROIT MANUFACTURERS' SUPPLY Co. APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is

- (a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Detroit Manufacturers' Supply Company of 3440 East Jefferson Street, Detroit 7, Michigan.
- (1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

		Maximum prices per unit for sales to—				
Article	Model	Distribu- tor	Whole-saler	Retailer and indus- trial or commer- cial users (in units of 3 or more)	Retailer and indus- trial or commer- cial users (less than 3 units)	User
Man-cooler pedestal fan Exhaust fan	1P 2P 2418HD 1812 2012 2412 3012 HD 24 S 16 S 18 S 20 S 24	\$45, 05 56, 52 33, 00 33, 85 36, 15 37, 87 45, 90 31, 00 24, 67 26, 11 28, 12 29, 25	\$50, 05 62, 80 36, 67 37, 60 40, 16 42, 08 51, 00 34, 45 27, 41 29, 01 31, 13 32, 50	\$48. 88 73. 88 43. 50 44. 25 47. 25 49. 50 60. 00 40. 50 32. 25 34. 13 36. 75 38. 26	\$66, 73 83, 73 49, 30 50, 15 53, 55 56, 10 68, 00 45, 90 36, 55 38, 68 41, 65 43, 35	\$78. 50 98. 50 58. 00 63. 00 66. 00 80. 00 54. 00 43. 00 45. 50 49. 00 51. 00

These maximum prices are for the articles described in the manufacturer's application dated March 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and are subject to a cash discount of 2% for payment within ten days, net thirty days. To each of the above prices only the exact amount of the Federal excise tax which the par-ticular seller is required to pay may be added.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales, and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, ington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales. and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Adminis-

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the spaces properly filled

This Order No. 3746 or Detroit Mfrs', Supply Co., 3440 E. Jefferson St., Detroit, Mich. Article: _____

Model No.: OPA Retail Ceiling Price—\$______(The exact amount of Federal excise tax paid by the seller may be added.) Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

JAMES G. ROGERS, JR., Acting Administrator.

[F. R. Doc. 45-7241; Filed, May 2, 1945; 4:55 p. m.]

> IMPR 188. Order 37481 GRESHAM CABINET WORKS APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Gresham Cabinet Works, 4 Kelly Street, Gresham, Oregon.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufactur- er's stock	Maximum price for sales to re- trilers by the manufacturer, and by persons, other than re- trilers, who sell from the manu- facturer's stock
Chest	5-30/49	Each \$4.40	Each \$4.68	Each . \$5.50

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated January 5, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 183. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any con-

venient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6d day of May 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7242; Filed, May 2, 1945; 4:56 p. m.] IMPR 188, Order 37491

REGENT ELECTRIC MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Regent Electric Manufacturing Company, 107 East 126th Street, New York 35, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE-MODEL NO. 31 ONE-HEAT HOT PLATE

Maximum prices for sales by manufac-	
turer to—	Each
Wholesaler	\$0.89
Retailer (in units of 6 or more)	1.05
Retailer (in less than 6 units)	1.14
Maximum prices for sales by sellers	
other than manufacturer to-	
Retailer (in units of 6 or more)	1.05
Retailer (in less than 6 units)	1.14
User	1.80

These maximum prices are for the articles described in the manufacturer's application dated January 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of

similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following state-

ment:

This Order No. 3749 or Regent Electric Mfg. Co., 107 E. 126th St., New York 35, N. Y.

Model No. 31
OPA Retail Ceiling Price—\$1.80
Do Not Detach

This price includes the Federal Excise Tax.

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at

nv time.

(e) This order shall become effective on the 3d day of May 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7243; Filed, May 2, 1945; 4:56 p. m.]

[MPR 260, Order 870]

LA FLORIDANA CIGARETTE FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) La Floridana Cigarette Factory, 3222 Armenia Avenue, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack-ing	Maxi- mum list price	Maximum retail price
Garcia & Casares. Henry Fay Resil	CoronasEspecialesPanetelas	50 50 50	Per M \$90.00 93.75 60.00 48.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and

may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same price same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

.This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7246; Filed, May 2, 1945; 4:56 p. m.]

[MPR 260, Order 871]

H. L. REICHARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) H. L. Reichard, East Prospect, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing		Maxi- mum retail price
H. L. R Joe Anderson	Special Perfecto. Perfectos.	50 50	\$56 48	Cents 7 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchase of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the

sponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7247; Filed, May 2, 1945; 4:57 p. m.]

[MPR 478, Order 141] THE PATENT FABRIC CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 10 of Maximum Price Regulation 478, It is ordered:

(a) The maximum prices for sales of the following coated fabrics converted by The Patent Fabric Company, 195–201 South Street, Boston, Massachusetts, shall be as follows:

. 27

roxylin or otherwise base coated fabrics for colors other than brown and fancy colors for sales to handbag manufacturers

One cent shall be added to the maximum prices listed above for these fabrics in brown and two cents shall be added to the maximum prices listed above for these fabrics in fancy colors.

(b) With or prior to the first delivery to any person, other than a manufacturer, of the fabrics covered by this regulation the seller shall notify such person in writing of the specific maximum price applicable to his resale of these coated fabrics which is the maximum price set forth in (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7248; Filed, May 2, 1945; 4:57 p. m.]

[MPR 478, Order 142]

IRVING A. MAYER, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 8 (f) (3) of Maximum Price Regulation 478, It is ordered:

(a) The maximum prices for sales of the following coated fabrics converted by the Irving A. Mayer, Inc., 271 Church Street, New York 13, New York, shall be as follows:

Per linear yard 36" Juvenile printed 4.50 72 x 68 cotton fabrics, 4 coats 21/2 dry ozs. clear pyroxylin coated_ clear pyroxylin coated. .3325 36" Juvenile printed 5.35 64 x 60 cotton fabrics, 4 coats 2½ dry ozs. clear pyroxylin coated_ 2950 36" Juvenile printed 5.50 64 x 56 cotton fabrics, 4 coats 21/2 dry ozs. clear pyroxylin coated_ . 2975 36" Juvenile printed 6.25 60 x 48 cotton fabrics, 4 coats 2½ dry ozs. clear pyroxylin coated___ . 2975 7" Juvenile printed 2.75 68 x 40 drill, 4 coats $2\frac{1}{2}$ dry ozs. clear pyroxylin coated___ .3750 Juvenile printed 5.50 44 x 40 cotton fabrics, 4 coats 21/2 dry ozs.

(b) With or prior to the first delivery to any person, other than a manufacturer, of a fabric covered by this order the seller shall notify such person in writing of the specific maximum price applicable to his resales of this fabric, which is the maximum price as set forth in (a) above.

. 2775

clear pyroxylin coated.

36" Juvenile printed 4.20 60 x 48 cotton and rayon fabrics, 4 coats

21/2 dry ozs. clear pyroxylin coated_

(c) All provisions of Maximum Price Regulation 478 not inconsistant with this order shall apply to sales covered by this order. (d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 3, 1945.

Issued this 2d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7250; Filed, May 2, 1945; 4:58 p. m.]

[MPR 136, Order 438] AVAILABLE TRUCK Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 11 (c) of Revised Maximum Price Regulation 136, It is ordered:

(a) A reseller of Available motor trucks may sell, delivered at place of business, each Available motor truck, containing the chassis described in subparagraph (1) below at a price not to exceed the total of the suggested resale price in that subparagraph and the applicable charges in subparagraph (2) below (less the discounts the reseller had in effect on March 31, 1942):

(1) Description. Chassis, truck; with manufacturer's basic specifications and equipment identified as the following chassis models, and including synthetic tire equipment of base tire sizes:

	Suggested
Chassis model No.	Resale price
C-250-SP	\$2,450.70
CS-250-SP	2,602.36
CS-400-LSP	2,987.28
CS-500-SP	3, 396, 89
CS-550-SP	3, 675, 86
CS-550-SPX	3,943.91
CS-600	4, 925. 58

- (2) Charges. (i) A charge for extra, special, and optional equipment when sold as original equipment with the applicable chassis in subparagraph (1) above, which shall not exceed the reseller's invoiced cost (not in excess of the applicable maximum price), plus a percentage margin of 25% over net invoiced cost:
- (ii) A charge for transportation which shall not exceed the charge Available Truck Company would make for the transportation of the trucks from the factory to the place of business of the reseller.
- (iii) A charge equal to the charge made by the Available Truck Company in accordance with the method that the Available Truck Company had in effect on March 31, 1942, to cover federal tiresweight and other federal excise taxes.

(iv) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trucks;

(v) A charge equal to reseller's actual expense for handling and delivery.

- (b) A reseller of Available motor trucks in any of the territories or possessions of the United States is authorized to sell the trucks described in paragraph (a) at a price not to exceed the maximum price established in that paragraph, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the trucks; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operation.
- (c) All requests not granted herein are denied.
- (d) This order may be amended or revoked by the Administrator at any time

Note: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or equipment of the truck, the reseller may add to its price under paragraphs (a) or (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraphs (a) or (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective May 4, 1945.

Issued this 3d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7280; Filed, May 3, 1945; 11:42 a. m.]

[MPR 136, Order 439]

THE PONY MIXER CO.
AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, It is ordered:

(a) The maximum prices of The Pony Mixer Company, West Bend, Wisconsin, for its sale to any of its various classes of purchasers of the Pony Mixer shall be determined by adding \$1.25 to the maximum price which it had in effect just prior to April 12, 1945, to such class of purchaser.

(b) The maximum price of any other reseller of the Pony Mixer to any class of its purchasers shall be determined by adding \$1.25 to the maximum price which it had in effect to such purchaser on or before April 12, 1945.

(c) This order shall supersede Order No. L-159 under Revised Maximum Price Regulation 136, which was issued and effective on April 12, 1945.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 4, 1945.

Issued this 3d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7281; Filed, May 3, 1945; 11:42 a. m.]

[MPR 188, Amdt. 26 to Order A-2]
ELECTRIC HEATING PADS AND FLASHLIGHT
LANTERNS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (16) of Order A-2 issued under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respects:

the following respects:

1. Subdivision (ii) is amended by adding to the list of commodities set forth therein the following:

Electric heating pads.
Flashlight lanterns (portable lights using flashlight cells, but with cases of other than tubular construction).

This amendment shall become effective on the 7th day of May 1945.

Issued this 3d day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-7282; Filed, May 3, 1945; 11:43 a. m.]

Regional and District Office Orders.
[Region III Order G-6 Under Supp. Order 94]

DISSECTING SCISSORS IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sections 11 and 13 of Supplementary Order No. 94 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) What this order does. This Order No. G-6 establishes maximum prices for sales at wholesale and retail of dissecting scissors, hereinafter described, sold by the United States Treasury Department, Procurement Division.

(b) Geographical applicability. This Order No. G-6 shall apply to all sales by Treasury Procurement and wholesalers to retailers, and to all sales by retailers to consumers, made in this Region III, which includes the states of Ohio, Indiana (except the County of Lake), Michigan, Kentucky and West Virginia.

(c) Maximum prices. Maximum prices for the sale of the dissecting scissors described herein shall be as follows:

Article and description	Treasury's and whole- saler's price to retailer, f. o. b. point of shipment	Retail- er's price to con- sumer
Dissecting scissors—4½ inches, plated cast steel	Each \$0.375	Each \$0.50

(d) Notification of maximum prices. Any person, who sells the dissecting scissors described above to a retailer, shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price and stating that the retailer is required by this order either to attach to each dissecting scissors, before sale, a tag or label, or display a suitable sign at the place where the article is offered for sale, which plainly states the retail ceiling price.

(e) Tagging. Any person, who sells the dissecting scissors described in paragraph (c) at retail, either shall attach to each dissecting scissors, before sale, a tag or label, or display a suitable sign at the place where the article is offered for sale, which plainly states the retail

ceiling price.

(f) Definitions. (1) A "retailer" is defined as any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) A "wholesaler" is defined as any person, other than a manufacturer, who distributes or sells the dissecting scissors, herein described, to resellers.

(g) Revocation and amendment. This order may be revoked or amended at any time by the Office of Price Administra-

This order shall become effective April 2, 1945.

Issued: April 2, 1945.

C. J. HOUSER, Acting Regional Administrator.

[F. R. Doc. 45-7220; Filed, May 2, 1945; 12:14 p. m.]

[Region III Order G-7 Under Supp. Order 94] SIGNAL CORPS TELEGRAPH BLANKS IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sections 11 and 13 of Supplementary Order No. 94 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) What this order does. This order No. G-7 establishes maximum prices at which Signal Corps telegraph blanks, hereinafter described, may be sold by the United States Treasury Department, Procurement Division, and by any subse-

quent reseller.

(b) Geographical applicability. This Order No. G-7 shall apply to all sales by Treasury Procurement to wholesalers, by Treasury Procurement and wholesalers to retailers, and by retailers to consumers, made in this Region III, which includes the states of Ohio, Indiana (except the County of Lake), Michigan, Kentucky and West Virginia,

(c) Maximum prices. The maximum prices for the sale of the Signal Corps telegraph blanks described herein shall

be as follows:

Article and description	Treas- ury's price to whole- saler (f. o. b. shipping point) "where is"	Treas- ury's and whole- saler's price (f. o. b. shipping point) to re- tailer	Retail- er's price to con- sumer
Signal Corps telegraph blanks—size 5" x 8" plain stock; No, 14 rail- road manila; 500 sheets per package.	Per pkg. \$0.09	Per pkg. \$0.10	Per pkg. \$0.15

(d) Notification of maximum prices. Any person, who sells the Signal Corps telegraph blanks described in paragraph (c) to a retailer, shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price and stating that the retailer is required by this order either to attach to each package of Signal Corps telegraph blanks, before sale, a tag or label, or display a suitable sign at the place where the article is offered for sale, which plainly states the retail ceiling price.

(e) Tagging. Any person, who sells the Signal Corps telegraph blanks described in paragraph (c) at retail, either shall attach to each package of such blanks, before sale, a tag or label, or display a suitable sign at the place where the article is offered for sale, which plainly states the retail ceiling price.

(f) Definitions. (1) A "retailer" is defined as any person whose sales to purchasers for use constitute a substantial

part of his total sales.
(2) A "wholesaler" is defined as any person, other than a manufacturer, who distributes or sells the Signal Corps telegraph blanks, herein described, to resellers.

(g) Revocation and amendment. This order may be revoked or amended at any time by the Office of Price Administra-

This order shall become effective April 11, 1945.

Issued: April 11, 1945.

CLIFFORD J. HOUSER. Acting Regional Administrator.

[F. R. Doc. 45-7219; Filed, May 2, 1945; 12:14 p. m.]

[Region III Order G-9 Under RMPR 122, Amdt. 81

SOLID FUELS IN MARION COUNTY, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; It is hereby ordered, That Part I and Part II of Schedule I of paragraph (c) be amended to read as follows:

	LE

Column I	Column	Column
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, and northeastern Tennessee), excluding mine index Nos. 124, 127, 285, 459, and 688. II. High volatile bituminous coals from producing district No. 11 (Indiana) excluding mine index No. 115.		

This Amendment No. 8 to Order No. G-9 under Revised Maximum Price Regulation No. 122 shall become effective April 18, 1945.

Issued: April 18, 1945.

BIRKETT L. WILLIAMS, Regional Administrator.

[F. R. Doc. 45-7218; Filed, May 2, 1945; 12:14 p. m.]

[Region III Order G-21 Under RMPR 122. Amdt. 51

SOLID FUELS IN ALLIANCE, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, It is hereby ordered. That Part II of paragraph (c) (1) of Order No. G-21 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column II Column I II High volatile bituminous coals from producing district No. 4 (Ohio):

A. Lump

1. From subdistrict No. 1 (Eastern Ohio) a. Size group No. 1 (larger than 5"):

(1) From mine index No. 54__ \$7.30 (2) From all other mines__ b. Size group No. 2 (larger than

6.90

6.80

6.75

6.85

6.90

2" but not exceeding 5")____
c. Size group No. 3 (larger than 11/4" but not exceeding 2"): From mine index No. 54__

(2) From all other mines. 2. From subdistrict No. 4 (mid-

a. Size group No. 1 (larger than b. Size group No. 2 (larger than 6.90

2" but not exceeding 5")_ B. Egg from subdistrict No. 1 (eastern Ohio):

1. Size group No. 2 (double screened; bottom size larger than 2") Size group No. 3 (double screened; bottom size larger than 1¼" but not exceeding (double

a. From mine index No. 54____

b. From all other mines_____ C. Stoker from subdistrict No. 1 (eastern Ohio): 1. Size group No.

Size group No. 5 (double screened; top size 2" and smaller x bottom size larger than 6.85 10 mesh) ____.

This Amendment No. 5 to Order No. G-21 under Revised Maximum Price Regulation No. 122 shall become effective April 9, 1945.

Issued: April 9, 1945.

BIRKETT L. WILLIAMS, Regional Administrator.

[F. R. Doc. 45-7217; Filed, May 2, 1945; 12:13 p. m.]

[Region III Order G-42 Under MPR 329]

FLUID MILK IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, it

is hereby ordered that:

- (a) Provisions regarding payment of premium to producers of milk-(1) Purchasers eligible to make application to pay premium. Any "milk" distributor in the area hereinafter described in section (c) of this order, who during January 1943 paid to a producer a premium for milk generally recognized in the mar-keting area of such distributor as a quality premium milk, and who sold such milk as a quality premium milk at a price higher than the price prevailing in said marketing area for approved fluid milk, may apply to the Regional Administrator of Region III of the Office of Price Administration for authorization to continue to pay to such producer the same dollars-and-cents premium for such premium milk as was paid by such distributor to such producer during January 1943.
- (2) Contents of application. Such application shall be filed with the Regional Administrator of Region III of the Office of Price Administration in duplicate and shall contain the following information:

(i) Price paid by applicant to producers for "milk" in January 1943.

(ii) Price paid to producers for premium milk during January 1943.

(iii) Names and addresses of producers from whom premium milk was purchased in January 1943.

(iv) Names and addresses of producers from whom applicant purchased premium milk as of the date of the application

(v) Basis upon which premium was established.

(vi) Marketing area of applicant.

(vii) Trade name, if any, under which premium quality milk is sold.

(viii) Applicant's selling price of approved fluid milk in January 1943 at wholesale and at retail.

(ix) Applicant's selling price of premium milk in January, 1943, at wholesale and at retail.

(x) Such other information as may be required by the Regional Administrator in order to properly pass upon the application.

(3) Approval of application. If the application is approved, the Regional Administrator may grant to the applicant authorization to continue to pay for such premium milk the same dollars-and-cents premium as was paid by applicant to such producer therefor in January,

1943. However, such application shall be deemed to be approved twenty (20) days after the filing thereof, unless, within said twenty (20) day period, the Regional Administrator notifies applicant that such application is disapproved, or unless additional information is requested from the applicant, in which case the twenty (20) day period shall begin to run upon the receipt of such additional information. The Regional Administrator shall have the right to adjust any premium proposed by any such application or established under this paragraph.

(b) Definitions. (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper, or other containers.

(2) "Producer" means a farmer, or other person or representative who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper

containers.

(4) Unless the context requires otherwise, the definitions of section 302 of Emergency Price Control Act of 1942, and Maximum Price Regulation No. 329 shall apply to other terms used in this order.

(c) Geographical applicability. This order shall apply to all sales and deliveries of "milk" pursuant to which the purchaser receives delivery within the States of Indiana (except the County of Lake), Kentucky, Michigan, Ohio and West Virginia.

(d) Amendment or revocation of this order. This order may be amended, modified or revoked at any time by the Office of Price Administration.

This order shall become effective April 11, 1945.

Note: The reporting requirements of this Order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued: April 11, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-7214; Filed, May 2, 1945; 12:12 p. m.]

[Region III Order G-43 Under RMPR 122, Amdt. 3]

SOLID FUELS IN GRAND RAPIDS, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; It is hereby ordered, That Part II of paragraph (c) (1) of Order No. G-43 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column	Column
II. High volatile bituminous coals from producing district No. 4 (Ohio): A. Lump and egg, size group Nos. 3 and 3A (bottom size larger than 114" but not exceeding 2") from subdistrict No. 5 (Hocking)	\$9, 25	\$8.71

This Amendment No. 3 to Order No. G-43 under Revised Maximum Price Regulation No. 122 shall become effective April 11, 1945.

Issued: April 11, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-7216; Filed, May 2, 1945; 12:13 p. m.]

[Region III Order G-55 Under RMPR 122] SOLID FUELS IN ANN ARBOR, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by \$1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered;

(a) What this order does. This order establishes maximum prices for sales of specified solid fuels made within the area described as the City of Ann Arbor, Michigan, and all adjacent territory which lies within five miles of the Ann Arbor city limits. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in the said area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) What this order prohibits. Regardless of any obligation, no person

shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-55; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained

directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) Schedule for sales of coal—(1) Price schedule. This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established, Column II lists the maximum prices for delivered cash sales to consumers at any point in the above described area, and Column III lists the maximum prices for delivered credit sales. Credit terms are 30 days net with a discount of 50 cents per ton for payment within 10 days of the date of delivery.

SCHEDULE I

Column I	Col. II	Col. III
I. High volatile bituminous coals from producing district No. 8		
from producing district No. 8 (eastern Kentucky, southwestern		7500
	1000	+
and northeastern Tennessee) ex-	3000	FAG
A. Egg, size group No. 6 (top size	Ta .	THE REAL PROPERTY.
and northeastern Virginia, and northeastern Tennessee) excluding mine index No. 439.¹ A. Egg, size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x		The same
top size 3" but not exceeding 5" x	10 B	
bottom size larger than 2" but not exceeding 3") in nine price classi-	1-3	Comme S
HUMLIOUS D FULCTURE B	\$8.50	\$9.00
B. Stove, size group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller)	10000	100
3" x bottom size 2" and smaller)		Time Park
in mine price elassifications E and	-	14000
C. Stoker, size group No. 10 (top)	8.70	9. 20
C. Stoker, size group No. 10 (top size 134" and smaller x bottom size 35" and larger) in mine price		
classifications A through E	9, 25	9, 75
D. To the prices stated in sections A, B and C of part I, above, may be added \$0.15 per ton provided	1	
A, B and C of part I, above, may be added \$0.15 per ton provided		
the coal is mined in subdistrict 6		a trade
of producing district No. 8 and provided it is separately weighed		1000
and billed. Subdistrict 6 includes		Service Service
that portion of District 8 which is in northern Tennessee, and the		VEL
following counties in Kentucky: Bell, Clay, Clinton, Jackson,		THE REAL PROPERTY.
Bell, Clay, Clinton, Jackson,		SHEET STATES
Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whit-		
Rock Castle, Wayne, and Whit-		
II Low volatile hituminant coals		The state of
from producing district No. 7 (southern West Virginia and		HINE.
western Virginia).1		Thurs.
A. Egg, size group No. 2 (top size larger than 3" x bottom size no		
limit).		
Mine price classification A. Mine price classifications B and	9.95	10. 45
0	9.75	10. 25
B. Stove, size group No. 3 (top size larger than 11/4" but not exceeding		
3" x bottom size smaller than 3")		- Watther
in mine price classification A	9.75	10. 25
C. Nut or dedusted screenings, size group No. 4 (top size larger than		
3/" but not exceeding 13/" x		-
in mine price classification A	9.15	9.65
D. Pea or dedusted screenings, size		
group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4")		E common
in mine price classification A	8. 85	9. 35
III. Anthracite (Pennsylvania) egg, stove, and chestnut sizes	13, 95	14.45
IV. Coke (excluding reject or re-		THE REAL PROPERTY.
claimed coke), egg, stove, and nut sizes	12.00	12. 50

*1 \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

(2) Discounts. A discount of not less than 50 cents per ton shall be given for the delivery of a carload of 50 tons to one location; a discount of not less than 50 cents per ton shall be given to consumers on sales at the yard of 500 pounds or more.

(3) Descriptive terms. The definitions of price groups, classifications, size groups, mine index numbers, producing sub-districts, etc., contained in Maximum Price Regulation No. 120 as the

same now reads or may be amended, are hereby incorporated by reference into this order and shall, wherever applicable, be the controlling definitions of all such terms used herein.

(d) Sales not covered by Order No. G-55. The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-55 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) Schedule of service charges. This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of Solid Fuels. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Wheel in from curb 75
Carry in from curb 75
Carry up or down stairs—each flight 50
Service charge for deliveries in quantities of ½ ton 50

(f) The transportation tax. The transportation tax imposed by section No. 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state Government or any political subdivision thereof.

(g) Addition of increase in suppliers' prices prohibited. The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) Petitions for amendment. Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) Applicability of other regulations. Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) Right of amendment or revocation. The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately

state each service rendered and the charge made for it.

(1) Posting of maximum prices—Sales slips. (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under \$ 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discount, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: Provided, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; and further provided that the provisions of this paragraph (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(m) Enforcement. (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Detroit District Office of the Office of Price Administration.

(n) Definitions and explanations. (1) "Person" includes an individual, corporation, partnership association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political sub-divisions, and any agency of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an ad-

junct of any mine, a coke oven, or a

briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in § 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) Applicability of this order. To the extent applicable, the provisions of this order supersede Revised Maximum

Price Regulation No. 122.

Note: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-55 under Revised Maximum Price Regulation No. 122 shall become effective April 30, 1945.

Issued: April 17, 1945.

BIRKETT L. WILLIAMS, Regional Administrator.

[F. R. Doc. 45-7215; Filed, May 2, 1945; 12:12 p. m.]

[Region IV Order G-37 Under RMPR 122]

SOLID FUELS IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is

hereby ordered: (a) What this order does. This basic order puts into one document the provisions common to all orders establishing flat (dollars-and-cents) maximum prices for coal issued by the Atlanta Regional Office, Region IV, Office of Price Administration. The orders issued pursuant to and under the authority of the provisions of this basic order are referred to herein as "adopting orders," and when issued will expressly adopt the provisions of this basic order. These provisions will become effective only when they are so adopted and will be applicable only to the areas specified in such adopting orders.

(b) What this order prohibits. Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell, or in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by an applicable adopting order, but less than maximum prices may, at any time, be charged, paid, or offered; or

(2) Obtain a higher than maximum

price by;

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by the applicable adopting order.

(ii) Using any tying agreement by making any requirement that anything

other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is ob-

tained, directly or indirectly.

(c) Ex parte 148 freight rate increase, transportation tax—(1) Freight rate increase. Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December 1941; therefore, no dealer may increase any price established by an applicable adopting order on account of freight rates.

Only the (2) Transportation tax. transportation tax imposed by section 260 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by the applicable adopting order. may be collected only if the dealer states such tax separately from the price of the coal on the invoice (The tax need not be stated separately on sales to the United States or any Agency thereof see Amendment 12 to Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to the maximum prices specified in any applicable Adopting Order on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged

(d) Addition of increases in supplier's maximum prices prohibited. The maximum prices set by an applicable adopting order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date of said adopting order, but increases in the maximum prices set thereby, to reflect such increases, are within the discretion of the Administrator, or of the Regional Ad-

ministrator of Region IV.

(e) Adjustments on customary sizes of coal from new supply source allocated by SFAW. (1) In the event the Solid Fuels Administrator for War allocates to the area covered by an applicable adopting order, a size of coal previously handled by a particular dealer, from a new source of supply having a higher delivered cost, such dealer, upon purchasing such coal for sale to consumers, may file an application for adjustment of the prices set by such adopting order to compensate for such higher delivered cost. A dealer desiring such adjustment shall file his application in duplicate with the District Office of the Office of Price Administration having jurisdiction of the area in which his place of business is located. Each application so filed shall set forth the following:

(i) The size of coal purchased from

the new supply source;

(ii) The normal source of his supply of that size of coal (including mine index number), mine cost of such coal (per ton), and freight cost thereof (per ton) as of October and November, 1944.

(iii) The new supply source of that size of coal (including mine index number), mine cost of such coal (per ton), and freight cost thereof (per ton).

(iv) The difference in the delivered cost (mine cost plus freight) of the coal from the normal source of supply and the delivered cost of the coal from the new source of supply.

(v) The increase proposed to be added by the dealer (which may not exceed the amount of cost differential required to be shown under subdivision (iv) of this paragraph (e), stated on a per ton basis, and also for such less than one ton selling lots as are customarily sold by the dealer.

(2) The increase requested shall not be added to the prices established by the applicable adopting order until the District Price Executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the increase requested shall not be added until the dealer has furnished such information or made such correction, and has received acknowledgment thereof from the District Price Executive. The increase may be added, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within ten days from the date of mailing of the application or of the requested additional or corrective information to the District Office

(3) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested increase, but such disapproval, correction, or modification shall not be

retroactive.

(4) A dealer, in order to make any additions permitted by this paragraph (e), must show the increase as a separate charge on the customer's invoice or sales ticket, bearing the notation "Increase because of SFAW reallocation

of supply source".

(f) Pricing of new sizes of coal. In the event a dealer purchases a size of coal for which no price has been established by the applicable adopting order, the maximum price for such new size of coal shall be a price established pursuant to this paragraph (f). No such coal may be sold or offered for sale until a price therefor has been established hereunder. A request for the establishment of such price shall be filed in duplicate with the Atlanta Regional Office, Office of Price Administration, Solid Fuels Branch, Candler Building, Atlanta 3, Georgia and shall contain the information listed in subparagraph (3) of this paragraph (f).

(2) In the event the Solid Fuels Administrator for War allocates to the area covered by an applicable adopting order, from a new source of supply, a size of coal priced under such order, but not previously purchased by a particular dealer, such dealer may file an application for adjustment of the price established. Such application shall be filed in duplicate with the Atlanta Regional Office, Office of Price Administration, Solid Fuels Branch, Candler Building, Atlanta 3, Georgia and shall contain the information listed in subparagraph (3) of this paragraph (f).

(3) Information required. (i) The size of the coal purchased and for which no price has been established by the applicable adopting order, or on which the dealer desires price adjustment;

(ii) The supply source of that size of coal (including mine index number),

mine cost of such coal (per ton) and freight cost thereof (per ton);

(iii) Applications filed under subparagraph (f) (1) hereof shall also show:

(a) The size of coal having a price established by the applicable adopting order and having a mine cost most nearly equal to the mine cost of the new size and purchased from the dealer's normal source of supply; the source of supply of that size of coal (including mine index number), mine cost of such coal (per ton), and freight cost thereof (per ton);

(b) The requested price for the new size of coal (which shall not exceed the mine cost, plus freight cost, plus the dealer's margin under the applicable adopting order for sales of the size of coal referred to in inferior subdivision

(a) immediately preceding).

(iv) Applications filed under subparagraph (f) (2) hereof shall also show:

(a) The size of coal purchased by the dealer from his normal source of supply, having mine cost most nearly equal to the mine cost of the new size from the new source: the source of supply of that size of coal (including mine index number), mine cost of such coal (per ton), and freight cost thereof (per ton).

(b) The requested price for the new size from the new supply source (which shall not exceed the mine cost, plus freight cost, plus the dealer's margin under the applicable adopting order for sales of the size of coal previously purchased by him and referred to in inferior subdivision (a) immediately preceding).

(4) The price requested by the dealer shall not be used by him until the Re-gional Price Executive, by letter, ac-knowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the price shall not be used until the dealer has furnished such information or made such correction and has received acknowledgment thereof from the Regional Solid Fuels Representative. The price may be used, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within ten days from the date of mailing of the application or of requested additional or corrective information to the Regional Office.

(5) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested price, but such disapproval, correction, or modification shall not be

retroactive.

(g) Power to amend or revoke. This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator, or by the Regional Administrator of Region IV.

(h) Petitions for amendment. Any person seeking an amendment of this order or of any adopting order issued hereunder or pursuant hereto, may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administra-tor, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable, except the place of filing

specified therein.

(i) Applicability of other regulations-(1) Licensing and registration. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules, regulations or orders. A seller whose license is suspended may not, during the period of suspension make any sale for which his license has been suspended.

(2) Effect of this order on Revised Maximum Price Regulation No. 122. To the extent applicable, the provisions of this order and of applicable adopting orders supersede the provisions of Revised Maximum Price Regulation No. 122.

(j) Records and reports; sales slips and receipts. Every person making sales of solid fuels for which maximum prices are established by an applicable adopting order shall (either at the time of, or within 30 days after the date of. making a sale or delivery thereof) give to his purchaser an invoice, sales slip, or receipt, and shall keep an exact copy thereof for so long as Revised Maximum Price Regulation No. 122 is in effect, or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing

the following information:

The name and address of the purchaser; the kind, size, and quantity of the solid fuels sold; the date of the sale or delivery; and the price charged. In addition, and except as otherwise specifically provided herein or in the applicable adopting order, every such seller shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges, and taxes which must be deducted from, or which may be added to, the established maximum prices; Provided, however, That the provisions of this paragraph (j) shall not apply to sales of solid fuels in less than quarter ton lots unless an invoice, sales slip, or receipt is requested by the purchaser.

(1) It is not necessary that these records of maximum prices be filed with the War Price and Rationing Board.

(k) Posting of maximum prices. Every dealer subject to an applicable adopting order shall post all the maximum prices set thereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order, of all applicable adopting orders, and of all amendments thereto available for examination by any person inquiring as to his prices for solid fuels.

(1) Enforcement. (1) Persons violating any provisions of this order or of an applicable adopting order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Con-

trol Act of 1942, as amended.
(2) Persons who have any evidence of any violation of this order or of an applicable adopting order are urged to communicate with the District Office of the Office of Price Administration having jurisdiction of the area in which the dealer's place of business is located.

(m) Definitions and explanations. When used in this order or in any adopting order issued pursuant hereto, the

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "pur-chase", and "purchaser" shall be con-

strued accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine. a preparation plant operated as an adjunct of any mine, a coke oven, or a

briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(i) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's

storage space.
(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct de-

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place

other than his truck.
(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in

effect at midnight, August 23, 1943.
(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in Maximum Price Regulation No. 120 and as prepared in accordance with the applicable maximum mine price schedule therein, except that "run-of-mine" shall in addi-tion include that size sold as such by the

(9) Except as otherwise provided, or except as the context may otherwise rethe definitions set forth §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein and in any adopting order.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective March 31, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 4, 1945.

ALEXANDER HARRIS, Regional Administrator.

[F. R. Doc. 45-7213; Filed, May 2, 1945; 12:10 p. m.]

[Columbia Rev. Order 1-B Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN SOUTH CAROLINA AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Columbia (South Carolina) District Office, of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, this amendment number 1 to Revised Order No. 1-B under General Order No. 50 is hereby issued.

Revised Order No. 1-B under General Order No. 50 is amended in the follow-

ing respects:

1. The following item is added as follows:

. FOUR CROWN SPECIAL BEER

12 OZ. SIZE

Group 1-B	Group 2-B	Group 3-B
Cents 25	Cents 20	Cents 17
	82 OZ. SIZE	
50	45	42

This amendment shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

EDWARD H. TALBERT, District Director.

[F. R. Doc. 45-7212; Fried, May 2, 1945; 12:10 p. m.]

[Montgomery Rev. Order G-1 Under Gen. Order 50, Amdt. 9]

MALT AND CEREAL BEVERAGES IN ALABAMA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Montgomery District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, Revised Order G-1 under General Order No. 50 is hereby amended as follows:

1. Section 1 is amended to read as follows:

SECTION 1. Purpose of order. Order G-1 under General Order Number 50 issued by the District Director of the Montgomery District Office of the Office of Price Administration on the 21st day of July 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer, and near beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order G-1 under General Order 50 is redesignated Revised Order G-1 under General Order 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on-premises sales, and for the further purpose of clarifying and strengthening the

2. Section 10 is amended to read as follows:

SEC. 10. Posting of prices. (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your Local War Price and Rationing Board and post same im-

mediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2, issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3B sellers, as set forth in the appendices hereof, during such time as such establishment is not in compliance with said order.

Section 15 is amended to read as follows:

SEC. 15. Licensing. The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

4. Paragraph (e) of section 17 is amended to read as follows:

- (e) "Sell and sale" include the service of beer for a consideration, with a license to consume on the premises.
- 5. Paragraph (f) of section 17 is amended to read as follows:
- (f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts.
- 6. Paragraph (h) is added to section 17 and reads as follows:
- (h) "On-premises sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller, or in the immediate vicinity thereof, and includes curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

This amendment shall become effective immediately.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, G.O. 50, 8 F.R. 4808)

Issued this 17th day of April 1945.

A. H. COLLINS, District Director.

[F. R. Doc. 45-7211; Filed, May 2, 1945; 12:10 p. m.]

[Seattle Order G-16 Under 18 (c), Revocation]

MILLWOOD IN WHATCOM COUNTY, WASH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, Revised General Order No. 32, Order of Delegation No. 34 issued by the Regional Administrator of Region VIII and under the authority to revoke reserved in paragraph (f) of Order No. G-16, It is hereby ordered:

That Order No. G-16 under § 1499.18 (c) as amended of the General Maximum Price Regulation be revoked.

This order shall become effective April 4, 1945.

Issued this 4th day of April 1945.

ARTHUR J. KRAUSS, District Director.

[F. R. Doc. 45-7210; Filed, May 2, 1945; 12:09 p. m.]

(Seattle Order G-26 Under 18 (c)]

MILLWOOD IN WHATCOM COUNTY, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, Revised General Order No. 32, and Order of Delegation No. 34 issued by the Re-

gional Administrator of the Eighth

Region: It is hereby ordered:

(a) The maximum prices for all sales and deliveries at retail in the Whatcom County area of the types and kinds of firewood specified in this order No. G-26 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended, or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted to the maximum prices provided in Order No. G-26: Provided. however, That the area maximum prices established by this Order No. G-26 shall not be applicable for sales or deliveries at retail of the kinds and types of firewood by the producing mill.

(b) Definitions. When used in this order the following terms shall have the

meanings set forth below.

(1) "Whatcom County area" means the area within the boundaries of What-

com County, Washington.

- (2) "Locally produced firewood" means all wood fuels of the types and kinds described in Order No. G-26 produced by mills located in Whatcom County, Wash-
- (3) "Imported firewood" means all wood fuels of the types and kinds described in Order No. G-26 produced by mills located within the United States but outside Whatcom County, Washington.
- (4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure

(5) "Unit" means 200 cubic feet.

(6) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel. either kiln dried or air dried; Provided, That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90

(7) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(8) "Producing mill" means a mill engaged in producing any of the type or kinds of wood fuel described in Order No. G-26.

(c) Maximum prices. (1) The maximum prices for sales at retail of the kinds and types of wood fuel described in Tables I and II set forth below delivered to the premises of the consumer within the Whatcom County area by any seller other than the producing mill shall be the prices set forth in the appropriate column and line of the appropriate table stated below.

TABLE I .- Locally produced wood

	r cord
Green mill slab, mixed mill, mill run, 24 inches or less	87.50
Green veneer core, green or dry planer ends, green log ends, 12 inches up,	
16 inch sash and door wood	8.00
Green tie slab, 24 inches or less	7.50
Green log ends, short lengths	7.00
Dry mill slab, mixed mill, mill run, 24	
inches or less	10.00
Dry tie slab, 24 inches or less	11.00

TABLE II .- Imported wood

	rcord
Green mill slab, mixed mill, mill run, 24 inches or less	\$8, 50
Dry mill slab, mixed mill, mill run, 24	
inches or less Green tie slab, 24 inches or less	
Dry tie slab, 24 inches or less	

(2) The maximum prices provided in Table I set forth above for "locally produced" green tie slabwood in lengths of 24 inches or less may be increased by \$1.00 per cord where the distance from the tie mill where the wood fuel is produced to the premises of the consumer where delivery is to be made exceeds ten miles.

(3) The maximum prices for the kinds and types of firewood described in Tables I and II set forth above delivered to the premises of the consumer within the Whatcom County area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per third cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(4) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) Invoices and records. Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold. (4) Description of firewood sold in the

same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood,

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time.

This order shall become effective April

Issued this 4th day of April 1945.

ARTHUR J. KRAUSS. District Director.

[F. R. Doc. 45-7209; Filed, May 2, 1945; 12:09 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register April 17, 1945.

REGION I

Boston Order I-C, Amendment 4, covering poultry in Massachusetts except Dukes and

Nantucket counties, filed 10:10 a. m.
Providence Order 2-W, Amendment 7,
covering poultry in Rhode Island except the
town of New Shoreham, filed 10:12 a. m.

REGION II

Albany Order 1-F, Amendment 53, covering fresh fruits and vegetables in Albany, Rensselaer, Troy, Green Island, Cohoes, Schenectady, and Watervliet, filed 9:34 a. m. Albany Order 10-F, Amendment 54, cover-ing fresh fruits and vegetables in Albany, Rensselaer, Troy, Green Island, Cohoes, Schenectady, and Watervliet, filed 9:34 a.m.

Binghamton Order 2-F, Amendment 27, covering fresh fruits and vegetables in certain towns in the county of Broome, and the county of Chemung, New York, filed 9:35

Buffalo Order D-1, Amendment 2, covering poultry in certain counties in New York, filed 9:35 a. m.

District of Columbia Order 5-F, Amendment 2, covering fresh fruits and vegetables in D. C., certain parts of Virginia and Mary-

land, filed 9:34 a.m.

District of Columbia Order 5-F, Amendment 3, covering fresh fruits and vegetables , certain parts of Virginia and Maryland, filed 9:37 a.m.

Erie Order 20, covering dry groceries in certain counties in Pennsylvania, filed 9:39

Erie Order 21, covering dry groceries in certain counties in Pennsylvania, filed 9:38 a. m.

Harrisburg Order 2-F, Amendment 16. covering fresh fruits and vegetables in certain

counties in Pennsylvania, filed 9:32 a.m. Harrisburg Order 2-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 9:32 a.m. Harrisburg Order 2-F, Amendment

covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 9:31 a.m. New York Order 9-F, Amendment 7, cover-

ing fresh fruits and vegetables in New York City, filed 9:30 a. m.
New York Order 10-F, Amendment 7, cover-

ing fresh fruits and vegetables in Nassau and Westchester counties, New York, filed 9:31

New York Order 12-F, covering fresh fruits and vegetables in certain counties in New York, filed 9:30 a. m.

New York Order 25, covering dry groceries for certain counties in New York, filed 9:29

New York Order 26, covering dry groceries in certain counties in New York, filed 9:29 a. m. Wilmington Order 4-F, Amendment covering fresh fruits and vegetables in New-ark and New Castle Area, filed 9:33 a. m. Philadelphia Order 9-F, Amendment 5, cov-

ering fresh fruits and vegetables in Bucks, Chester and Montgomery counties, Pennsyl-

vania, filed 9:31 a. m.

Philadelphia Order 10-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Pennsylvania, filed 9:31 a. m. Pittsburgh Order 2-F, Amendment 3, covering fresh fruits and vegetables in the Pitts-

burgh Area, filed 9:46 a. m.

Pittsburgh Order 2-F, Amendment 6, covering fresh fruits and vegetables in the Pittsburgh Area, filed 9:33 a.m.
Pittsburgh Order 3-F, covering fresh fruits

and vegetables in certain cities in Erie

county, filed 9:46 a. m.
Pittsburgh Order 3-F, Amendment 3, covering fresh fruits and vegetables in certain cities in Erie County, filed 9:29 a. m.

Pittsburgh Order 13, covering dry groceries in certain counties in Pennsylvania, filed 9:38 a. m.

Pittsburgh Order 13, Amendment 1, covering dry groceries in certain counties in Pennsylvania, filed 9:29 a. m.

Pittsburgh Order 14, covering dry groceries in certain counties in Pennsylvania, filed 9:46 a. m.

Pittsburgh Order 14, Amendment 1, covering dry groceries in the Pittsburgh Area, filed 9:28 a. m.

Scranton Order 4-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 9:34 a. m.

Syracuse Order 3-F, Amendment 25, covering fresh fruits and vegetables in Syracuse, Watertown and Utica, filed 9:35 a. m.

Syracuse Order 4-F, Amendment 15, covering fresh fruits and vegetables in certain countles in New York, filed 9:35 a. m.

Trenton Order 12-F, Amendment 1, covering fresh fruits and vegetables in certain counties in New Jersey, filed 9:33 a.m.

REGION III

Columbus Order 9-F, Amendment 4, covering fresh fruits and vegetables in Columbus, Ohio District, except Franklin County, filed 10:12 a. m.

Indianapolis Order 19-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Indiana, filed 9:43 a. m

Indianapolis Order 14-F, Amendment 10, covering fresh fruits and vegetables in Marion, Vigo, and Tippecanoe Counties, filed 9:45 a. m.

Indianapolis Order 15-F, Amendment 10, covering fresh fruits and vegetables in Wayne, Delaware and Allen Counties, filed 9:45 a.m.

Indianapolis Order 16-F, Amendment 10, covering fresh fruits and vegetables in St.

Joseph County, filed 9:44 a. m. Indianapolis Order 17-F, Amendment 10, covering fresh fruits and vegetables in Vanderburgh County, filed 9:44 a. m.

Indianapolis Order 18-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Ohio, filed 9:43 a. m.

REGION IV

Columbia Order 5-F, Amendment 14, covering fresh fruits and vegetables in Lexington and Richland Counties, filed 9:37 a. m. Columbus Order 5W, Amendment 3, cover-

ing wholesale community food prices in the South Carolina Area, filed 9:49 a. m.

Columbia Order 17, Amendment 3, covering retail community food prices in the South Carolina Area, filed 9:49 a. m.

Jacksonville Order 11-F, Amendment 7, covering fresh fruit and vegetables in certain counties of Florida, filed 10:10 a.m. Roanoke Order 1-P, Amendment 3, covering

poultry in Roanoke District Area, filed 9:47

Roanoke Order 2-P, Amendment 3, covering poultry in Roanoke District Area, filed

Roanoke Order 11-F Amendment 7, covering fresh fruits and vegetables in certain cities and counties of Virginia, filed 9:37 a.m.

Savannah Order 7-F, Amendment 23, covering fresh fruits and vegetables in certain

counties of Georgia, filed 9:41 a. m.
Savannah Order 9-F, Amendment 22, covering fresh fruits and vegetables in certain counties of Georgia, filed 9:42 a. m.

Savannah Order 9-F, Amendment 23, covering fresh fruits and vegetables in certain counties of Georgia, filed 9:41 a.m.

Savannah Order 10-F, Amendment 23, covering fresh fruits and vegetables in certain counties of Georgia, filed 9:41 a. m.

REGION V

Dallas Order 1-F, Amendment 58, covering fresh fruit and vegetables, filed 9:20 a.m. Fort Worth Order 7-F, Amendment 2, cov-

ering fresh fruits and vegetables in Tarrant County, filed 9:20.a. m.

Forth Worth Order 8-F, Amendment 2, covering fresh fruits and vegetables in Taylor

County, filed 9:20 a.m. Forth Worth Order 9-F, Amendment 2, covering fresh fruits and vegetables in Tom

Green County, filed 9:19 a. m. Forth Worth Order 10-F. Amendment 2, covering fresh fruits and vegetables in

McLennan County, filed 9:19 a. m. Forth Worth Order 11-F, Amendment 2,

covering fresh fruits and vegetables in Wichita County, filed 9:19 a.m. Forth Worth Order 12-F, covering fresh fruits and vegetables in certain counties of Texas, filed 9:18 a. m.

St. Louis Order 3-F, Amendment 30, covering fresh fruits and vegetables, for city of St. Louis and St. Louis County, filed 10:12 a. m.

Shreveport Order 2-F, Amendment 57, covering fresh fruits and vegetables, filed 9:17

REGION VI

Chicago Order 1-C, Amendment 6, covering poultry in certain counties of Illinois and Lake County, Indiana, filed 9:13 a. m.

Chicago Order 1-C, Amendment 7, covering poultry in certain counties of Illinois and Lake County, Ind., filed 9:13 a. m.

Chicago Order 2-F, Amendment 54A, covering fresh fruits and vegetables in Chicago Metropolitan District, filed 9:49 a.m.

Chicago Order 2-F, Amendment 56, covering fresh fruits and vegetables in certain counties of Illinois and Lake County, Ind., filed 10:11 a. m.

Chicago Order 4-W, Amendment 2, and Chicago Order 11, Amendment 3, covering dry groceries in certain counties of Illinois, and Lake County, Ind., filed 9:12 a.m. Chicago Order 11, Amendment 4, covering

dry greceries in certain counties of Illinois and Lake County, Ind., filed 9:13 a. m. Des Moines Order 2F, Amendment 20, cov-

ering fresh fruits and vegetables in the Des Moines District with the exception of specified Areas, filed 10:13 a. m.

Des Moines Order 1F, Amendment 58, covering fresh fruits and vegetables in city limits of Des Moines and part of Polk County, Iowa, filed 10:12 a. m.

Des Moines Order 3F, Amendment 6, cov ering fresh fruits and vegetables in certain

counties of Iowa, filed 10:13 a.m.

La Crosse Order 1-F, Amendment 63, covering fresh fruits and vegetables in cities of La Crosse and Sparta, Wis., and Winona,

Minn., filed 10:13 a.m.

La Crosse Order 2-F, Amendment 18, covering fresh fruits and vegetables in La Crosse District except specified cities and villages, filed 10:12 a. m.

La Crosse Order 3-F, Amendment 59, covering fresh fruits and vegetables in cities of Eau Claire and Chippewa Falls, Wis., filed

La Crosse Order 5-F, Amendment 58, covering fresh fruits and vegetables in Rochester, Minn., filed 10:13 a, m.

Duluth-Superior Order 1-F, Amendment 64, covering fresh fruits and vegetables in Du-

luth, Proctor, and Superior, filed 10:10 a.m. Green Bay Order 4-F, Amendment 8, covering fresh fruits and vegetables in certain

countles of Wisconsin, filed 9:15 a.m.

Green Bay Order 5-F, Amendment 8, covering fresh fruits and vegetables in certain specified areas of Wisconsin, filed 9:15 a.m.

Green Bay Order 6-F, Amendment 8, covering fresh fruits and vegetables in Florence, Forest, and Marinette Counties in Wisconsin, filed 9:15 a. m.

Milwaukee Order 6-F, Amendment 13, covering fresh fruits and vegetables in Milwaukee County, Wis., filed 9:16 a. m.
Milwaukee Order 7–F, Amendment 13, cov-

ering fresh fruits and vegetables in cities of

Racine and Kenosha, Wis., filed 9:16 a.m.
Milwaukee Order 8-F, Amendment 3, covering fresh fruits and vegetables in Dane

County, Wis., filed 10:10 a.m.
Milwaukee Order 9-F, Amendment 3, covering fresh fruits and vegetables in the counties of Sheboygan and Fond du Lac, Wis., filed 9:16 a. m.

North Platte Order 15-F, covering fresh fruits and vegetables in certain counties of Nebraska, filed 9:12 a. m.

North Platte Order 39, Amendment 1, covering dry groceries in certain countles of Nebraska, filed 9:12 a. m.

North Platte Order 40, Amendment 2, covering dry groceries in certain counties of Nebraska, filed 9:12 a. m.
Omaha Order 10-F, Amendment 3, covering

fresh fruits and vegetables in Omaha, Nebr., and Council Bluffs, Iowa, filed 9:13 a. m.

Omaha Order 11-F, Amendment 4, covering fresh fruits and vegetables in Lincoln, Nebr., filed 9:14 a. m.

Peoria Order 6-F, covering fresh fruits and vegetables in certain counties of Illinois, filed 9:06 a. m.

Peoria Order 7-F, covering fresh fruits and egetables in certain cities and villages of

Illimois, filed 9:10 a.m.

Peoria Order 8–F, covering fresh fruits and vegetables in Joliet, Rockdale and Ridgewood,

Ill., filed 9:10 a. m.
Peoria Order 9-F, covering fresh fruits and vegetables in Bloomington and Normal, Ill., filed 9:07 a. m.

Peoria Order 10-F, covering fresh fruits and vegetables in certain designated areas of Knox County, Ill., filed 9:07 a. m.

Sioux City Order 2-F, Amendment 65, covering fresh fruits and vegetables in Sioux City, Iowa, and South Sioux City, Nebr., filed 9:16 a. m.

Sioux Falls Order 2-F, Amendment 3, covering fresh fruits and vegetables in Sioux

Falls, S. Dak., filed 9:48 a. m. Sioux Falls Order 3-F, Amendment 3, covering fresh fruits and vegetables in certain counties of Minnesota, and Lyon and Osceola counties in Iowa, certain counties of South Dakota, filed 9:48 a. m. Sioux Falls Order 4-F, Amendment 3, cov-

counties of South Dakota, filed 9:49 a. m.
Sioux Falls Order 3-W. Amendment 3 and
Order 15, Amendment 4, covering dry groceries in certain counties of Iowa and Min-

nesota, filed 9:15 a.m. Sioux Falls Order 4-W, Amendment 1 and Order 16, Amendment 1, covering dry gro-ceries in certain counties of South Dakota

and Minnesota, filed 9:14 a.m.
Sioux Falls Order 5-W. Amendment 2 and
Order 17, Amendment 3, covering dry groceries in certain counties in South Dakota, filed 9:14 a. m.

Sioux Falls Order 18, Amendment 1, covering dry groceries in certain counties of Minnesota, Iowa and South Dakota, filed 9:14 a. m.

Springfield Order 13-F, Amendment 4, covering fresh fruits and vegetables in Springfield, Ill., filed 9:16 a. m.

Twin Cities Order 1-F, Amendment 13, covering fresh fruits and vegetables in St. Paul, Minneapolis and adjoining municipalities, filed 9:06 a. m.

Twin Cities Order 2-F, Amendment 11, covering fresh fruits and vegetables in certain countles of Minnesota and Wisconsin, filed 9:06 a. m.

REGION VII

Utah Order F-1, Amendment 19, covering fresh fruits and vegetables in the Salt Lake, Davis, and Weber County area, filed 9:51 a, m.

Utah Order F-1, Amendment 20, covering fresh fruits and vegetables in the Salt Lake, Davis, and Weber County area, filed 9:51 a.m.
Utah Order F-1, Amendment 21, covering

fresh fruits and vegetables in the Salt Lake, Davis, and Weber County area, filed 9:51 a.m. Utah Order F-2, Amendment 18, covering

fresh fruits and vegetables in certain designated county areas, filed 9:50 a. m. Utah Order F-2, Amendment 19, covering

fresh fruits and vegetables in certain designated county areas, filed 9:50 a.m. Utah Order F-3, Amendment 17, covering

fresh fruits and vegetables in certain designated county areas, filed 9:48 a. m.
Utah Order F-3, Amendment 18, covering

fresh fruits and vegetables in certain designated county areas, filed 9:50 a.m.
Utah Order F-4, Amendment 17, covering

fresh fruits and vegetables in certain designated county areas, filed 9:54 a. m.

Utah Order F-4, Amendment 18, covering fresh fruits and vegetables in certain desig-

nated county areas, filed 9:40 a.m.
Utah Order F-5, Amendment 17, covering fresh fruits and vegetables in Utah County Area, filed 9:53 a. m.

Utah Order F-5, Amendment 18, covering fresh fruits and vegetables in Utah County Area, filed 9:51 a. m.

Utah Order F-5, Amendment 19, covering fresh fruits and vegetables in Utah County Area, filed 9:50 a. m.

Utah Order F-6, Amendment 17, covering fresh fruits and vegetables in certain designated county areas, filed 9:53 a.m.
Utah Order F-6, Amendment 18, covering

fresh fruits and vegetables in certain designated county areas, filed 9:39 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK, Secretary.

[F. R. Doc. 45-7228; Filed, May 2, 1945; 4:51 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register April 23, 1945.

REGION II

Scranton Order 16-C, Amendment 4, covering poultry covering certain counties in Pennsylvania, filed 3:52 p.m. Scranton Order 17-C, Amendment 4, cov-

ering poultry in certain counties of Pennsylvania, filed 3:52 p. m.

REGION III

Charleston Order 11-C, Amendment 2, cov-Virginia, filed 3:53 p. m.

Charleston Order 12-C, Amendment 2, covering poultry in certain counties of West

Virginia, filed 3:53 p. m.

Charleston Order 12-C, Amendment 2, covering poultry in certain counties of West

Virginia, filed 3:53 p. m.

REGION IV

Jackson Order 4-F, Amendment 25, covering fresh fruits and vegetables in certain counties of Mississippi, filed 3:49 p. m. Jackson Order 5-F, Amendment 6, covering

fresh fruits and vegetables in sixty-five specified counties in the Jackson District Area,

filed 3:50 p. m.
Savannah Order 7-F, Amendment 24, covering fresh fruits and vegetables in certain

counties of Georgia, filed 3:52 p. m. Savannah Order 9-F, Amendment 24, covering fresh fruits and vegetables in certain counties of Georgia, filed 3:48 p. m.

Savannah Order 10-F, Amendment 24, covering fresh fruits and vegetables in certain counties of Georgia, filed 3:49 p. m.

Savannah Order 12-F, Amendment 6, covering fresh fruits and vegetables in certain counties of Georgia, filed 3:49 p.m.

REGION V

Kansas City Order 1-C, Amendment 4, covering poultry in the Kansas City District Area, filed 3:53 p. m. Oklahoma Order 4-W, Amendment 2, cov-

ering dry groceries in the Oklahoma City, Oklahoma District, filed 3:50 p. m.

Los Angeles Order L. A. 1-C, Amendment 5,

covering poultry in the Los Angeles Metro-politan Area, filed 3:54 p. m.

Los Angeles Order L. A. 2-C, Amendment 5, covering poultry in the Los Angeles Supplementary Area, filed 3:54 p. m.

Los Angeles Order 1–F, Amendment 61, covering fresh fruits and vegetables in the Santa Barbara-San Luis Obispo Area, filed 3:54 p. m. Los Angeles Order 1-F, Amendment 62, cov-

ering fresh fruits and vegetables in the Los Angeles Metropolitan Area, filed 3:54 p. m. Nevada Order 6-F, Amendment 13, covering fresh fruits and vegetables in the Reno and Sparks Area, filed 3:55 p. m.

Nevada Order 7-F, Amendment 13, covering fresh fruits and vegetables in certain cities of Nevada, filed 3:55 p. m.

Nevada Order 8-F, Amendment 13, covering fresh fruits and vegetables in certain cities of Nevada, filed 3:55 p. m. Nevada Order 9-F, Amendment 13, covering

fresh fruits and vegetables in certain counties

of Nevada, filed 3:55 p. m.*

Nevada Order 10-F, Amendment 13, covering fresh fruits and vegetables in certain countles of Nevada, filed 3:55 p. m.

Phoenix Order 3-F, Amendment 67, covering fresh fruits and vegetables within a specified area of Phoenix, filed 3:50 p.m.

San Diego Order 1-F, Amendment 23, covering fresh fruits and vegetables in the San

Diego Metropolitan Area, filed 3:50 p. m. San Francisco Order F:7, Amendment 6, covering fresh fruits and vegetables in certain specified cities, filed 3:51 p. m.

San Francisco Order F:8, Amendment 6, covering fresh fruits and vegetables in certain cities, filed 3:51 p. m.

San Francisco Order F:9, Amendment 6, covering fresh fruits and vegetables in certain cities, filed 3:51 p. m.
San Francisco Order F:10, Amendment 6,

covering fresh fruits and vegetables in certain cities, filed 3:52 p. m.
San Francisco Order F:11, Amendment 6,

covering fresh fruits and vegetables in cer-

tain cities, filed 3:52 p. m.
San Francisco Order F:12, Amendment 6, covering fresh fruits and vegetables in certain cities, filed 3:51 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

> ERVIN H. POLLACK. Secretary.

[F. R. Doc. 45-7229; Filed, May 2, 1945; 4:51 p. m.]

[Region IV Order G-1 Under Supp. Service Reg. 47 to RMPR 165]

RETAIL SHOE REPAIR SERVICES IN CHAR-LOTTE, N. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.680 (a) of Supplementary Service Regulation No. 47 to Revised Maximum Price Regulation No.

165, it is ordered: (a) Maximum prices for retail shoe repair services in the Charlotte, North Carolina, area. On and after the effective date of this order, and notwithstanding the pricing provisions of Revised Maximum Price Regulation No. 165, and regardless of any previous regulation, order (including an order authorizing a price adjustment), or approval, no seller in the Charlotte, North Carolina area may sell or offer to sell the shoe repair services for which prices are established in this order at prices higher than the following:

Men's shoes and boys' shoes larger than size 2 per pair	Women's shoes and chil- dren's shoes larger than size 13 per pair	Children's shoes smaller than size 13½ per pair
		1975
\$1. 25	\$1.00	\$0.9
	Men's shoes shoes larger t	Mer's shoes and b shoes larger than si per pair. Women's shoes larger than size 13 per pair.

	Men's shoes and boys' shoes larger than size 2 per pair	Women's shoes and children's shoes larger than size 13 per pair	Children's shoes smaller than size 13½ per pair
Leather half-sole services-Con.			
Leather half-sole service, relasted with fitted wooden lasts. Leather half-sole service, relasted with fitted wooden lasts, and	\$1. 25	\$1.15	\$0.95
invisible shank. 5. Leather half-sole service, 5"-51/2"	1, 40	1. 25	.95
thickness. 6. Leather half-sole service, 5"-5\2"	1. 35		. 95
7. Leather half-sole service, 6" thick	1.50	*****	.95
or heavier. 8. Heavy duty work shoes, leather	1.40	CHARLE	.95
half-sole service, 6" thick or heavier.	1.50		
Additional charges in the following amounts may be added for: Premium leather (prime or fine	100	T	
grade leather, military or gov- ernment selection)	. 25	. 25	
Men's shoes over size 11 Women's shoes over size 9	. 25	.10	
Composition, rubber or fiber half- sole services			
Competitive grade, 10½ iron Standard grade, 10½ iron Super grade, 10½ iron Flat corded grade, 10½ iron	1. 15 1. 25 1. 35 1. 45	.90 1.00 1.10 1.20	.75 .85 .95 1.05
Cord-on-end and cord insert grades, 1034 iron	1.55	1.30	1.15
Note: Deductions in the following amounts must be made for 9 iron. Additional charges in the following	.10	. 10	.10
amounts may be added for: Heavy (12 iron) in above grades Extra heavy (14 iron) in above	.10	.10	.10
Brown in above grades	.15	.15	.15
Full soles in above grades Heel services	.00	. 00	-40
One full leather top lift, with or	1100		
without wedges. One full leather top lift, with wedges	. 65		.40
Small leather top lift, "spike type"	.75		-40
(without leveling)		.30	
Small leather top lift, "spike type" (with leveling or wedges). Medium leather top lift, "Cuban type" (one full lift, with or with-		.40	
out wedges) Large leather top lift, "sport type" (one full lift, with or without		. 40	.40
wedges)	. 55	. 50	.40
Leavilet solo toe cip service.	100	1 10	

All half-sole prices include picking stitches or relasting with fitted wooden lasts when supplied.

(b) Definitions-(1) Charlotte, North Carolina Area. Charlotte, North Carolina area includes the territory within the corporate limits of Charlotte, North Carolina and the unincorporated Borough of Thomasboro, which is a part of the Charlotte metropolitan area, all in the State of North Carolina.

(2) The definitions set forth in § 1499.680 (h) of Supplementary Service Regulation No. 47 to Revised Maximum Price Regulation No. 165 are applicable to the terms used in this order.

(c) Applicability of Supplementary Service Regulation No. 47. Not all of the provisions affecting maximum prices of retail shoe repair services in the Charlotte, North Carolina area are stated in this order. Those provisions which are not specifically set forth herein are paragraphs (d) through (h), inclusive, of 1499.680 of Supplementary Service Regulation No. 47 to Revised Maximum Price Regulation No. 165, and are incorporated herein and are just as much a part of this order as if set forth in full

(d) Other shoe repair services. Shoe repair services not specifically listed in this order remain subject to the provisions of Revised Maximum Price Regulation No. 165—Services, or Maximum Price Regulation No. 200—Rubber Heels in the Shoe Repair Trade, whichever is applicable to the service in question.

This order shall become effective April 26, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued April 9, 1945.

ALEXANDER HARRIS. Regional Administrator.

[F. R. Doc. 45-7251; Filed, May 2, 1945; 4:58 p. m.]

[Miami Order G-1 Under Supp. Service Reg. 48 to RMPR 1651

REQUIREMENTS FOR INVOICES AND RECORDS OF CERTAIN REPAIR ESTABLISHMENTS IN DADE COUNTY, FLA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Miami District Office, Region IV, Office of Price Administration, by § 1499.681 (a) of Supplementary Service Regulation No. 48 to Revised Maximum Price Regulation No. 165 and Regional Delegation Order No. 74, issued by said Region IV on April 6, 1945, it is hereby ordered:

(a) Invoices. Each establishment covered by this order shall furnish each purchaser of repair services with an invoice containing the following information and shall keep a copy thereof in its files for inspection by the Office of Price Administration:

(1) Name and address of the establishment performing the service;

(2) Date:

(3) A brief description of each service supplied for which a separate charge is

(4) (i) If a customer's hourly rate alone is used in pricing the service-the customer's hourly rate and the number of hours for which a charge is made (indicating overtime hours if charged at over-time rate):

(ii) If a flat rate manual or labor schedule is used in pricing the service or if time allowance for the service is fixed by any applicable regulation of the Office of Price Administration—the title of the manual, schedule, or regulation; the number or other identification of the operation; the customer's hourly rate; and the number of hours for which a charge is made (indicating over-time hours, if charged for at over-time rates)

(iii) If a fixed charge is used in pricing the service-the fixed charge (i. e., a charge not computed by means of a customer's hourly rate):

(5) Total labor charge;

(6) Parts and materials furnished and charges made therefor;

(7) Any other charge (and specific indication of its nature; and

(8) Total charge.

(b) Records. Each establishment covered by this order, if it has productive employees, shall keep the records indicated in this paragraph, and shall make such records available for inspection by the Office of Price Administration at any time during usual business hours. "Productive employees" are employees who actually do repair work, as distinguished—for example—from the supervisory, clerical, or stock-room employees.

(1) Name of each productive employee together with number of regular and over-time hours worked each day;

(2) Name of each productive employee together with total of regular and overtime hours worked during each pay period, and the total regular and overtime wages paid to that employee for the pay period; and

(3) Total number of hours worked during each pay period by all productive employees on equipment in the stock of the repair establishment or covered by a guarantee as well as any other hours worked for which no charge was made to the customer.

(c) Sellers covered. The provisions of this order shall apply to all automotive repair, and appliance repair establishments which use a customer's hourly rate in pricing any of the services which they supply and which are located within Dade County, Florida.

(d) Relationship to Revised Maximum Price Regulation No. 165. All provisions of Revised Maximum Price Regulation No. 165, together with all provisions of all amendments, orders, or supplementary regulations which heretofore have been, or hereafter may be, issued shall remain applicable to all sellers covered by this order, except as otherwise provided herein.

(e) This order may be revoked, amended, or corrected at any time.

This order shall become effective April 14. 1945.

Note: The record keeping and reporting requirements of this Order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued: April 13, 1945.

JAMES S. THOMAS, District Director.

[F. R. Doc. 45-7252; Filed, May 2, 1945; 4:58 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register April 24, 1945.

REGION I

Providence Order 2-F, Amendment 25, covering fresh fruits and vegetables in Rhode Island, except New Shoreham, filed 9:59 a.m.

REGION II

Syracuse Order 41, covering dry groceries in certain counties of New York, filed 9:53 REGION III

Escanaba Order 1-C, covering poultry in upper peninsula of Michigan with the exception of specified territory, filed 9:57 a. m.

Jacksonville Order 13-W, covering dry groceries in certain counties of Florida, filed

Jacksonville Order 14-W, covering dry groceries in certain counties of Florida, filed

Jacksonville Order 40, covering dry groceries in certain counties of Florida, filed 9:57 a. m.

Jacksonville Order 41, covering dry gro ceries in certain counties of Florida, filed 9:56 a. m

Memphis Order 1-C, covering poultry in Memphis and Shelby County, Tenn., filed

Memphis Order 2-C, covering poultry in certain counties of Tennessee, filed 9:54 a. m. Memphis Order 3-C, covering poultry in Memphis and Shelby County, Tennessee, filed 9:54 a. m.

Memphis Order 4-C, covering poultry in certain counties of Tennessee, filed 9:53 a. m. Savannah Adopting Order 18, Amendment

4, covering dry groceries in the Savannah area, filed 10:07 a.m. Savannah, Adopting Order 19, Amendment

3, covering dry groceries in the Savannah Area, filed 10:07 a. m.
Savannah Order 13-F, covering fresh fruits and vegetables in certain counties of

Georgia, filed 9:55 a. m.

REGION V

Dallas Order 26, Amendment 1, covering dry groceries, filed 10:05 a.m.

Little Rock District Order 6-F, Amend-ment 44, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Ark.,

filed 10:09 a. m. Lubbock Order 3-F, Amendment 50, covering fresh fruits and vegetables in the counties of El Paso, Culberson, Hudspeth, and Presidio, Tex., filed 10:09 a.m.

Oklahoma Order C-15, Amendment 4, covering dry groceries located in Oklahoma City District, filed 10:08 a. m.

REGION VI

Des Moines Order 1-F, Amendment 59, covering fresh fruits and vegetables in Des Moines and extending three miles into Polk County, Iowa, filed 10:02 a. m. Des Moines Order 17, Amendment 4, cover-

ing dry groceries, filed 9:59 a. m.
Duluth-Superior Order 1-F, Amendment
65, covering fresh fruits and vegetables in Duluth, Proctor, and Superior, filed 10:00 a. m.

Green Bay Revocation Order 2-W, covering dry groceries in certain designated areas of Wisconsin, filed 10:05 a. m.

Green Bay Order 4-W, covering dry groceries in certain counties of Wisconsin, filed 9:53

Green Bay Order 14, covering dry groceries in certain counties of Wisconsin, filed 9:55

North Platte Order I-C, covering poultry in certain counties of Nebraska, filed 9:55 a.m. Omaha Order 21, Amendment 5, covering dry groceries in Lancaster County, Nebr., filed

Sioux City Order 16, Amendment 1-A, covering dry groceries in Sioux City, Iowa, and South Sioux City, Nebr., filed 10:06 a.m.

Sioux City Order 17, Amendment 1-A, covering dry groceries in certain counties of Iowa and South Dakota, filed 10:06 a. m. Sioux City Order 18, Amendment 1-A, cov-

ering dry groceries in certain counties of Nebraska, filed 10:06 a.m. Sioux City Order 19, Amendment 3, cover-

ing dry groceries, filed 10:06 a.m. Springfield Order 1-C, covering poultry in

certain counties of Illinois, filed 9:58 a. m.

Springfield Order 3-C, covering poultry in

certain counties of Illinois, filed 9:58 a. m. Springfield Order 4-C, covering poultry in Madison and St. Clair Counties, Ill., filed 9:59

REGION VIII

Phoenix Adopting Order 8, Amendment 3, covering dry groceries in the "Yuma Area", filed 9:52 a. m.

Phoenix Adopting Order 12, covering dry groceries in the Southern Arizona Area, filed 9:52 a. m.

Phoenix Adopting Order 16, covering dry groceries in the Eastern Arizona Area, filed 9:52 a m

Phoenix Adopting Order 1, Amendment 1, covering dry groceries in the "Kingman Area", filed 10:07 a.m.

Phoenix Adopting Order 2, Amendment 1, covering dry groceries in the "Mohave Area", filed 10:07 a. m.

Phoenix Adopting Order 3, Amendment 1, covering dry groceries in the "Coconino-Yavapai Area", filed 10:07 a. m.

Phoenix Adopting Order 4, Amendment 2, covering dry groceries in the "Central Navajo-Apache Area", filed 10:07 a. m.

Phoenix Adopting Order 5, Amendment 2, covering dry groceries in the "Southern Nava-Jo-Apache Area", filed 10:08 a. m. Phoenix Adopting Order 6, Amendment 7,

covering dry groceries in the "Gila Valley Area", filed 10:08 a.m.

Phoenix Adopting Order 7, Amendment 4, covering dry groceries in the "Cochise Area", filed 10:08 a. m.

filed 10:08 a. m.

Phoenix Adopting Order 11, Amendment 3, covering dry groceries in the "Navajo-Hopi Reservation Area", filed 10:07 a. m.

Seattle Order 6-F, Amendment 27, covering fresh fruits and vegetables in Seattle and Bremerton, Wash, filed 10:00 a. m.

Seattle Order 7-F, Amendment 25, covering fresh fruits and vegetables in Tacoma, Wash., filed 10:00 a. m.

Seattle Order 8-F, Amendment 22, covering fresh fruits and vegetables in Everett, Wash., filed 10:01 a. m.

Seattle Order 9-F, Amendment 27, covering

Bremerton, Wash., filed 10:01 a.m.
Seattle Order 10-F, Amendment 22, covering fresh fruits and vegetables in Bellingham,

Wash., filed 10:01 a. m. Seattle Order 11-F. Amendment 22, covering fresh fruits and vegetables in Olympia, Wash., filed 10:01 a. m.

Seattle Order 12-F, Amendment 22, cover-

ing fresh fruits and vegetables in Aberdeen-Hoquiam, Wash., filed 10:01 a. m. Seattle Order 13-F, Amendment 23, cover-ing fresh fruits and vegetables in Centralia-

Chehalis, Wash., filed 10:02 a.m. Seattle Order 14-F, Amendment 23, covering fresh fruits and vegetables in Wenatchee

and East Wenatchee, Wash., filed 10:02 a.m. Seattle Order 15-F, Amendment 21, covering fresh fruits and vegetables in Yakima, Wash., filed 10:02 a. m.

Spokane Order 10-F, Amendment 9, covering fresh fruits and vegetables in the counties of Shoshone and Kootenai, Idaho, filed

Spokane Order 11-F, Amendment 9, covering fresh fruits and vegetables in Iatah county, Idaho and Whitman County, Wash., filed 10:04 a. m.

Spokane Order 8-F, Amendment 10, covering fresh fruits and vegetables in certain areas of Spokane County, Wash., filed 10:02

Spokane Order 9-F, Amendment 10, covering fresh fruits and vegetables in certain areas of Kootenai County, Idaho, filed 10:03

Spokane Order 10-F, Amendment 10, covering fresh fruits and vegetables in certain areas of Shoshone and Kootenai Counties, Idaho, filed 10:04 a. m.

Spokane Order 11-F. Amendment 10, covering fresh fruits and vegetables in certain designated areas, filed 10:05 a.m.

Spokane Order 12-F, Amendment 10, covering fresh fruits and vegetables in Asotin county, Wash., and Nez Perce County, Idaho, filed 10:05 a.m.

Spokane Order 8-F, Amendment 11, coverfresh fruits and vegetables in certain areas of Spokane County, Wash., filed 10:03 a. m.

Spokane Order 9-F, Amendment 11, covering fresh fruits and vegetables in certain areas of Kootenai County, Idaho, filed 10:03 a. m.

Spokane Order 12-F, Amendment 11, covering fresh fruits and vegetables in certain areas, filed 10:05 a.m.

Spokane Order 13-F. Amendment 11, covering fresh fruits and vegetables in certain

areas, filed 10:04 a.m.

Spokane Order 13-F. Amendment 12, covering fresh fruits and vegetables in certain areas, filed 10:04 a.m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK, Secretary.

[F. R. Doc. 45-7271; Filed, May 3, 1945; 11:42 a. m.7

WAR FOOD ADMINISTRATION.

Office of Marketing Services.

JOINT RULES AND REGULATIONS OF SECRE-TARY OF AGRICULTURE AND SECRETARY OF TREASURY

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

Pursuant to the provisions of section 402 of the Federal Seed Act approved August 9, 1939 (53 Stat. 1275), notice is hereby given of intention to promulgate amendments to the joint rules and regulations of the Secretary of Agriculture and the Secretary of the Treasury. A public hearing with reference thereto will be held in Room 6339 in the South Building of the United States Department of Agriculture, Independence Avenue between 12th and 14th Streets, Southwest, Washington, D. C., on the 16th day of May 1945, at 10 o'clock in the forenoon of that day.

All interested persons are invited to attend this hearing and to offer comments or suggestions with reference to said proposals. Such comments or suggestions bearing on the proposals may be presented orally or in writing. Any relevant comments which cannot be made or presented in person at the hearing may be transmitted by mail addressed to the Chief, Grain Products Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C., and will be considered if received on or before the 16th day of May 1945.

Mr. E. J. Murphy is hereby designated as the presiding officer who shall conduct the aforesaid hearing in the place and stead of the War Food Administrator, with power to do all things necessary and appropriate to the proper conduct of such hearings.

Copies of the proposed amendments to the rules and regulations may be obtained by a request therefor addressed to the Grain Products Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(53 Stat. 1275; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Dated: April 30, 1945.

HERBERT E. GASTON. Acting Secretary of the Treasury.

MARVIN JONES, War Food Administrator.

[F. R. Doc. 45-7259; Filed, May 3, 1945; 11:11 a. m.]

WAR PRODUCTION BOARD.

[Certificate 30, Revocation]

TELEPHONE OPERATORS SURPLUS MATERIALS

PLAN FOR VOLUNTARY REDISTRIBUTION

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated February 6, 1943, concerning a plan for the voluntary redistribution of surplus materials among telephone operators.

> J. A. KRUG. Chairman.

APRIL 28, 1945.

[F. R. Doc. 45-7257; Filed, May 3, 1945; 10:19 a. m.]

[Certificate 32, Revocation]

STEEL WAREHOUSES IN SAN FRANCISCO BAY AREA

PLAN FOR REPLACEMENT ORDERS

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated February 13, 1943, concerning a plan designed to obtain and maintain stocks needed by steel warehouses in the San Francisco Bay area to serve the small and emergency needs of essential industries.

> J. A. KRUG. Chairman.

APRIL 28, 1945.

[F. R. Doc. 45-7258; Filed, May 3, 1945; 10:19 a. m.]

IC-2891

J. E. HATHCOCK LUMBER CO. CONSENT ORDER

J. E. Hathcock, doing business as J. E. Hathcock Lumber Company at Dothan, Alabama, is a lumber producer and distributor. He is charged with having, during the period between August 1, 1944 and December 16, 1944, delivered approximately 467,000 board feet of lumber on rated and unrated orders in violation of Limitation Order L-335 in that the deliveries were made without obtaining the certifications required by said order. J. E. Hathcock admits the violations as charged but denies they were wilful and does not care to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of J. E. Hathcock, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner; It is hereby ordered, That:

(a) For a period of three months from the effective date of this order J. E. Hathcock, doing business as J. E. Hathcock Lumber Company or under any other name, his successors and assigns, shall not sell or deliver any lumber except on properly certified orders bearing a preference rating of AA-3 or higher unless specifically authorized in writing by the War Production Board. This restriction shall not apply to orders or contracts in the hands of J. E. Hathcock on the date of issuance of this order which conform with the restrictions of Order L-335.

(b) Nothing contained in this order shall be deemed to relieve J. E. Hathcock, doing business as J. E. Hathcock Lumber Company or under any other name, his successors or assigns, from any restriction, prohibition or provision contained in any other order of the War Production Board, except insofar as the same may be inconsistent with the provisions bereof.

Issued this 3d day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-7263; Filed, May 3, 1945; 11:25 a. m.]

[C-318]

FRANKLIN SPECIALTY MANUFACTURING CO.

CONSENT ORDER

Moe Howard and Archie I. Thurman are partners doing business under the trade name and style of Franklin Specialty Manufacturing Co. located at 902 Broadway, New York City. Moe Howard is a general partner and operating head of this business and Archie I. Thurman is a limited partner. The company is engaged in the business of manufacturing children's overalls, middy blouses and dish cloths. Franklin Specialty Manufacturing Co. is charged by the War Production Board with wilful violations of Priorities Regulation No. 1 between January 1 and July 15, 1944, in

that it received cotton textiles pursuant to a purchase order bearing a preference rating of AA-4 in accordance with Conservation Order M-317, and did not use such cotton textiles for the purposes authorized by Conservation Order M-317, but diverted such material to unauthorized uses and in that it failed to keep and preserve accurate and complete records of purchase orders covering cotton textile materials received and records of preference ratings applied or extended for the purchase of such materials. Moe Howard, individually, and as a general partner doing business under the trade name and style of Franklin Specialty Manufacturing Co. admits the violations charged but does not desire to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Moe Howard and the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner, It is hereby ordered, That:

(a) For a period of three months from the date of issuance of this order, Franklin Specialty Manufacturing Co. and Moe Howard, individually, their successors and assigns, shall not apply or extend any preference ratings to the deliveries of textiles unless hereafter specifically authorized in writing by the War Production Board.

(b) The restrictions and prohibitions contained herein shall not apply to deliveries of textiles made pursuant to purchase orders, contracts or subcontracts of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(c) Nothing contained in this order shall be deemed to relieve Franklin Specialty Manufacturing Co. and Moe Howard, individually, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions

(d) This order shall take effect on the date of issuance and shall expire on August 3, 1945.

Issued this 3d day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-7264; Filed, May 8, 1945; 11:25 a. m.]

IC-3261

BOOTH NEWSPAPERS, INC.

CONSENT ORDER

Booth Newspapers, Inc., a Michigan corporation, publisher of The Bay City Times, with offices at Bay City, Michigan, is charged by the War Production Board with having used, during the third quarter of 1943 and the first, second, third and fourth quarters of 1944, print paper for the printing of The Bay City Times, in the amount of 26.3 tons in excess of its quota, in violation of War Production Board Limitation Order L-240. Booth Newspapers, Inc. admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Booth Newspapers, Inc., the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner. It is

hereby ordered, That:

(a) Booth Newspapers, Inc., shall, during the final three quarters of 1945, beginning April 1, 1945, and ending January 1, 1946, reduce its use of print paper for the printing of The Bay City Times, by using, during the second quarter of 1945, 12 tons less; during the third quarter of 1945, 5 tons less; and during the fourth quarter of 1945, 9.3 tons less, than the quota it would otherwise be entitled to use during the applicable quarters as specified by the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Booth Newspapers, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions

hereof.

(c) The restrictions and prohibitions contained herein shall apply to Booth Newspapers, Inc., its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 3d day of May 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-7265; Filed, May 3, 1945; 11:25 a. m.]